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JOURNAL

OF THE

A S S E M B L Y

OF THE

STATE OF NEW YORK:

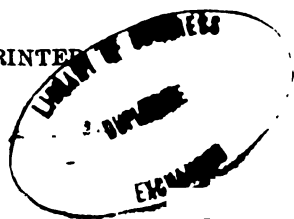
AT THEIR

ONE HUNDREDTH SESSION.

BEGUN AND HELD AT THE CAPITOL, IN THE CITY OF ALBANY, ON THE SECOND  
DAY OF JANUARY, 1877.



JEROME B. PARMENTER, STATE PRINTER  
1877.





# JOURNAL OF THE ASSEMBLY.

## STATE OF NEW YORK:

### ASSEMBLY CHAMBER, IN THE CITY OF ALBANY,

TUESDAY, JANUARY 2, 1877.

Pursuant to section six of article ten of the Constitution of this State, the gentlemen whose names are given in the following list (except those marked with an asterisk), appeared in the Assembly Chamber. The said list contains the names of the representatives elected to the Assembly in the several districts for the current year, as certified by the Secretary of State, viz:

County.	District.	Name.
Albany .....	1	John Sager.
	2	Jonathan R. Herrick.
	3	William J. Maher.
	4	Edward Curran.
Allegany .....		Sumner Baldwin.
Broome .....		Edwin C. Moody.
Cattaraugus .....	1	Thomas J. King.
	2	Edgar Shannon.
Cayuga .....	1	George I. Post.
	2	John S. Brown.
Chautauqua .....	1	Sherman Williams.
	2	Theodore A. Case.
Chemung .....		Hosea H. Rockwell.
Chenango .....		J. Hudson Skillman.
Clinton .....		Shepard P. Bowen.
Columbia .....	1	Jacob H. Proper.
	2	John T. Hogeboom.
Cortland .....		Deloss McGraw.
Delaware .....	1	William J. Welsh.
	2	Isaac H. Maynard.
Dutchess .....	1	Thomas Hammond.
	2	De Witt Webb.
Erie .....	1	John L. Crowley.
	2	John G. Langner.
	3	Edward Gallagher.
	4	Charles F. Tabor.
	5	Charles A. Orr.
Essex .....		Benjamin D. Clapp.
Franklin .....		John I. Gilbert.

County.	District.	Name.
Fulton and Hamilton.....		George W. Fay.
Genesee.....		Eli Taylor.
Greene.....		Oscar T. Humphrey.
Herkimer.....		Myron A. McKee.
Jefferson.....	1	Charles R. Skinner.
	2	Henry Spicer.
Kings.....	1	Daniel Bradley.
	2	Richard Marvin.
	3	John Shanley.
	4	James G. Tighe.
	5	William W. Stephenson.
	6	John A. Dillmeier.
	7	Charles L. Lyon.
	8	Adrian M. Suydam.
	9	John McGroarty.
Lewis.....		William W. Rice.
Livingston.....		Jonathan B. Morey.
Madison.....	1	Albert N. Sheldon.
	2	Merchant Billington.
Monroe.....	1	Williard Hodges.
	2	James S. Graham.
	3	Washington L. Rockwell.
Montgomery.....		Edward Wemple.
New York.....	1	James Healey.*
	2	Thomas F. Grady.
	3	William H. Rooney.
	4	John Galvin.
	5	Peter Mitchell.
	6	Michael Healy.
	7	Isaac I. Hayes.
	8	Martin Nachtmann.
	9	William H. Corsa.
	10	Christopher Flecke.
	11	Elliot C. Cowdin.
	12	Maurice F. Holahan.
	13	Robert H. Strahan.
	14	Luke F. Cozans.
	15	James G. Dimond.
	16	Francis B. Spinola.
	17	James E. Coulter.
	18	Stephen J. O'Hare.
	19	Thomas C. E. Ecclesine.
	20	Joseph I. Stein.
	21	J. C. Julius Langbien.
Niagara.....	1	Amos A. Bissell.
	2	Sherburne B. Piper.
Oneida.....	1	James Corbett.
	2	Everett Case.
	3	Benjamin D. Stone.
	4	J. Robert Moore.
Onondaga.....	1	Thomas G. Alvord.
	2	Carroll E. Smith.
	3	C. Fred Herbst.

County.	District.	Name.
Ontario .....	1	Dwight B. Backenstose.
	2	Amasa T. Winch.
Orange .....	1	James G. Graham.
	2	Stewart T. Durland.
Orleans .....		Joseph D. Billings.
Oswego .....	1	George B. Sloan.
	2	George M. Case.
	3	De Witt C. Peck.
Otsego .....	1	James S. Davenport.
	2	Simeon R. Barnes.
Putnam .....		Hamilton Fish, Jr.
Queens .....	1	Elbert Floyd Jones.
	2	George E. Bulmer.
Rensselaer .....	1	John H. Burns.
	2	John J. Filkin.
	3	William H. Sliter.
Richmond .....		Samuel R. Brick.
Rockland .....		George W. Weiant.
St. Lawrence .....	1	David McFalls.
	2	A. Barton Hepburn.
	3	Lewis C. Lang.
Saratoga .....	1	George W. Neilson.
	2	Isaac Noyes, Jr.
Schenectady .....		Walter T. L. Sanders.
Schoharie .....		James H. Brown.
Schuyler .....		William Gulick.
Seneca .....		Albert L. Childs.
Steuben .....	1	William B. Ruggles.
	2	Jerry E. B. Santee.
Suffolk .....		Francis Brill.
Sullivan .....		Thornton A. Niven.
Tioga .....		Eugene B. Gere.
Tompkins .....		Silas R. Wickes.
Ulster .....	1	Thomas Hamilton.
	2	Nathan Keator.
	3	Isaac W. Longyear.
Warren .....		Robert Waddell.
Washington .....	1	Townsend J. Potter.
	2	Isaac V. Baker, Jr.
Wayne .....	1	Jackson Valentine.
	2	Jeremiah Thistlethwaite.
Westchester .....	1	Ambrose H. Purdy.
	2	William F. Moller.
	3	James W. Husted.
Wyoming .....		Arthur Clark.
Yates .....		Mason L. Baldwin.

The members elect were called to order at 11 o'clock A. M., by Edward M. Johnson, Clerk of the last Assembly.

The proceedings were opened with prayer by Rev. Dr. Upson.

The Hon. John Bigelow, Secretary of State, administered to the members present the oath of office, prescribed by section one of article twelve of the Constitution of this State, and said oath was thereupon subscribed by the members.



Mr. Hogeboom offered for the consideration of the House a resolution, in the words following:

*Resolved*, That this House do now proceed to the election of Speaker; that the roll of members be called by the Clerk, and that each member, as his name is called, rise in his place and openly name his choice for such office, and after the election of Speaker shall have been determined, we proceed to the election of Clerk and Sergeant-at-Arms, in the same manner.

The Clerk put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The House then proceeded to the election of Speaker.

The Clerk called the roll, whereupon each member as his name was called, rose in his place, and nominated as follows:

#### FOR GEORGE B. SLOAN.

Alvord	Fay	King	Sheldon
Backenstose	Filkin	Lang	Skillman
Baker	Fish	Langbein	Skinner
S. Baldwin	Gallagher	Marvin	Smith
M. L. Baldwin	Gere	McFalls	Spicer
Barnes	Gilbert	McGraw	Stephenson
Billings	J. G. Graham	McKee	Straban
Billington	J. S. Graham	Moody	Snydam
Bowen	Gulick	Moore	Taylor
J. S. Brown	Hammond	Morey	Thistlethwaite
E. Case	Hayes	Noyes	Valentine
G. M. Case	Hepburn	Orr	Waddell
T. A. Case	Herbst	Peck	Webb
Clapp	Hodges	Post	Welsh
Clark	Hogeboom	Potter	Wickes
Corbett	Husted	Santee	Williams
Corra	Keator	Shannon	Winch
Cowdin			

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#### FOR LUKE F. COZANS.

Bissell	Ecclesine	Maher	W. L. Rockwell
Bradley	Flecke	Maynard	Rooney
Brick	Floyd-Jones	McGroarty	Ruggles
Brill	Galvin	Mitchell	Sager
J. H. Brown	Grady	Moller	Sanders
Bulmer	Hamilton	Nachtmann	Shanley
Burns	J. Healey	Neilson	Sliter
Childs	M. Healy	Niven	Spinola
Coulter	Herrick	O'Hare	Stein
Crowley	Holahan	Piper	Stone
Curran	Humphrey	Proper	Tabor
Davenport	Langner	Purdy	Tighe
Dillmeier	Longyear	Rice	Weiant
Dimond	Lyon	H. H. Rockwell	Wemple
Durland			

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George B. Sloan having received a majority of all the votes given, the Clerk declared he was duly elected Speaker of the Assembly.

The Clerk appointed Messrs. Husted and Cozans to conduct the Speaker elect to the chair. On taking the chair he addressed the House as follows:

*Gentlemen of the Assembly:* I am deeply sensible of the honor conferred upon me by the vote just announced, which designates me as your presiding officer. While offering you my grateful acknowledgments for this expression of your confidence, I may well observe that you have honored me not only beyond my deserts, but beyond any aspirations I have ever felt at liberty to entertain; and, I may also add that when I call to mind the delicate and oftentimes trying duties of this position, and the signal ability displayed in the same relation by my immediate predecessor, as well as by other gentlemen whose accomplishments have graced the office on former occasions, it is not easy to escape a sense of oppression which burdens me even now, as I enter upon the task you have given me to perform.

I might well shrink from assuming these responsibilities, were I not encouraged by circumstances which lead me to attempt their fulfillment.

I recognize many members of this body largely experienced in public affairs, among whom are not only gentlemen who have served with distinction in this branch of the Legislature, but those whose names are honorably written on the journal of the Senate as well; and to such I believe I may confidently turn for that advice and counsel of which I shall so often stand in need.

Others there are of whom it may be said, though yet untried in the work of legislation, they are nevertheless strong in the knowledge of practical affairs, who are ready and willing to join their efforts in producing those salutary results which I have reason to think are desired by every member of this House; and persuaded as I am that all are animated by a common purpose to uphold the honor and integrity of the State, I anticipate such wise and judicious action as shall occasion no feeling of regret that we have had a part in its accomplishment.

We meet at a time of unusual solicitude and interest—a time when public attention is anxiously directed to the extraordinary circumstances attending the late presidential election. Differing opinions as to the methods to be employed in solving the question are entertained by gentlemen of distinction in the two political organizations, and it may naturally be supposed that these opinions are influenced to greater or less extent by the predilections of the individuals themselves.

But however this may be, so pronounced is the determination of the people for a just and peaceful settlement of the matters in controversy, that violent or unconciliatory counsels are regarded by thoughtful and right minded men of either party as little less than vagaries not worthy of serious consideration. It may therefore be assumed, that patriotic effort, united with calm deliberation, having the support of an assuring public sentiment, looking to the welfare of the country as above and beyond all partisan considerations, will be found effectual in arriving at such results under the Constitution, as shall allay existing irritations, and be acquiesced in by the people generally, as just and equitable to all parties concerned.

Turning from the broader field of national affairs, to glance at what may be regarded more legitimately within the province of our own duty, we find promise of being able to answer the reasonable expectations of the people. The desire evinced in all parts of the State for rigid economy in every department of the public service, is one likely to overshadow demands that might otherwise be made upon us. It is, therefore, a satisfaction to know that the present condition of the finances, and the diminished public debt, are elements exceedingly favorable in adjusting

the rate of taxation to correspond with the prevailing depression in all departments of commercial and industrial pursuits. So far reduced are the financial obligations of the State that the requirements for the payment of principal and interest are comparatively trifling. We have, therefore, only to exercise moderate prudence in appropriating for the other purposes of government to render the burden of taxation so light as to be in no degree oppressive.

It will be a part of your duty to consider the question of reapportioning the Senate and Assembly districts of the State, in conformity to the provision of the Constitution, which demands such supplemental action after each enumeration of the inhabitants is made.

Another subject of moment will also engage your attention in the form of legislation required to give effect to the amendments to the Constitution, approved by two previous Legislatures and ratified by the people at the last election. I refer to the amendments changing the system of management of the canals and the State prisons. It is not necessary for me to urge the desirability of early and painstaking consideration of these measures, since you fully understand and appreciate their importance; but may I not in this connection take the liberty of suggesting the great advantage to be gained by promptly acting on *all* matters that may be brought to your attention?

Close and earnest application by the various committees of the House to the work in hand during the early part of the session, will render practicable that necessary attention to measures which, under other circumstances, are apt to be imperfectly prepared and much too hastily enacted.

By early action in the direction indicated, it may also be assumed that bills of doubtful utility will be more likely to be defeated than if allowed to linger on your files, until the hurry of the closing days of the session shall lend facility to their passage.

Other suggestions might be made did I deem them needful, but I believe my duty in that regard is already more than discharged. Your intelligence, your experience, and your full understanding of the requirements of the situation, afford in themselves the amplest guarantees that all will be wisely done. It only remains for me, therefore, to give assurance of my desire to co-operate with you in every practicable manner, to secure the best results in whatever we may undertake as members of this body, and to further add that, however conspicuous may be my faults as your presiding officer, the fault of intentional injustice to any member on this floor will not be found among them.

The House in like manner then proceeded to the election of Clerk of the Assembly, with the following result:

#### FOR EDWARD M. JOHNSON.

Alvord	Fay	Lang	Skillman
Backenstose	Filkin	Langbein	Skinner
Baker	Fish	Marvin	Smith
S. Baldwin	Gallagher	McFalls	Speaker
M. L. Baldwin	Gere	McGraw	Spicer
Barnes	Gilbert	McKee	Stephenson
Billings	J. G. Graham	Moody	Strahan
Billington	J. S. Graham	Moore	Suydam
Bowen	Gulick	Morey	Taylor
J. S. Brown	Hammond	Noyes	Thistlethwaite

E. Case	Hayes	Orr	Valentine
G. M. Case	Hepburn	Peck	Waddell
T. A. Case	Herbst	Post	Webb
Clapp	Hodges	Potter	Welsh
Clark	Hogeboom	Santee	Wickes
Corbett	Husted	Shannon	Williams
Corsa	Keator	Sheldon	Winch
Cowdin	King		

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## FOR HIRAM CALKINS.

Bissell	Durland	Maher	W. L. Rockwell
Bradley	Ecclesine	Maynard	Rooney
Brick	Flecke	McGroarty	Ruggles
Brill	Floyd-Jones	Mitchell	Sager
J. H. Brown	Galvin	Moller	Sanders
Bulmer	Grady	Nachtmann	Shanley
Burns	Hamilton	Neilson	Sliter
Childs	J. Healey	Niven	Spinola
Coulter	M. Healy	O'Hare	Stein
Cozans	Herrick	Piper	Stone
Crowley	Holahan	Proper	Tabor
Curran	Humphrey	Purdy	Tighe
Davenport	Langner	Rice	Weiant
Dillmeier	Longyear	H. H. Rockwell	Wemple
Dimond	Lyon		

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Edward M. Johnson having been named by a majority of all the members present, was declared duly elected Clerk of the Assembly.

The oath of office was then administered to Edward M. Johnson by the Speaker of the House.

The House then proceeded to the election of Sergeant-at-Arms, with the following result :

## FOR GEORGE A. GOSS.

Alvord	Fay	Lang	Skillman
Backenstose	Filkin	Langbein	Skinner
Baker	Fish	Marvin	Smith
S. Baldwin	Gallagher	McFalls	Speaker
M. L. Baldwin	Gere	McGraw	Spicer
Barnes	Gilbert	McKee	Stephenson
Billings	J. G. Graham	Moody	Strahan
Billington	J. S. Graham	Moore	Suydam
Bowen	Gulick	Morey	Taylor
J. S. Brown	Hammond	Noyes	Thistlethwaite
E. Case	Hayes	Orr	Valentine
G. M. Case	Hepburn	Peck	Waddell
T. A. Case	Herbst	Post	Webb
Clapp	Hodges	Potter	Welsh
Clark	Hogeboom	Santee	Wickes
Corbett	Husted	Shannon	Williams
Corsa	Keator	Sheldon	Winch
Cowdin	King		

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## FOR THOMAS H. O'BRIEN.

Bissell	Durland	Maher	W. L. Rockwell
Bradley	Ecclesine	Maynard	Rooney
Brick	Flecke	McGroarty	Ruggles
Brill	Floyd-Jones	Mitchell	Sager
J. H. Brown	Galvin	Moller	Sanders
Bulmer	Grady	Nachtmann	Shanley
Burns	Hamilton	Neilson	Sliter
Childs	M. Healy	Niven	Spinola
Coulter	Herrick	O'Hare	Stein
Cozans	Holahan	Piper	Stone
Crowley	Humphrey	Proper	Tabor
Curran	Langner	Purdy	Tighe
Davenport	Longyear	Rice	Weiant
Dillmeier	Lyon	H. H. Rockwell	Wemple
Dimond			

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George A. Goss having been named by a majority of all the members present, was declared duly elected Sergeant-at-Arms.

Mr. J. G. Graham offered for the consideration of the House a resolution, in the words following:

*Resolved*, That Eugene L. Demers be and is hereby elected door-keeper of the Assembly for the session of 1877.

Mr. Weiant moved to amend by substituting the name of Thomas Burns for that of Eugene L. Demers.

Mr. Ecclesine moved further to amend by substituting the name of Hosea B. Perkins.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Ecclesine, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Weiant, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Shannon offered for the consideration of the House a resolution, in the words following:

*Resolved*, That Francis Strickland be and is hereby elected first assistant door-keeper of the Assembly for the session of 1877.

Mr. Weiant moved to amend by substituting the name of Myron H. Hubbard for that of Francis Strickland.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. J. G. Graham offered for the consideration of the House a resolution, in the words following:

*Resolved*, That Michael Maher be and is hereby elected second assistant door-keeper for the session of 1877.

Mr. Weiant moved to amend by substituting the name of James Atwood for that of Michael Maher.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Lang offered for the consideration of the House a resolution, in the words following:

*Resolved*, That Worden E. Payne be and is hereby elected stenographer of the Assembly of 1877.

Mr. Weiant moved to amend by substituting the name of Spencer C. Rodgers in place of Worden E. Payne.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The oath of office was then administered by the Speaker to George A. Goss, Eugene L. Demers, Francis Strickland, Michael Maher and Worden E. Payne.

Mr. Husted offered for the consideration of the House a resolution, in the words following :

*Resolved*, That a committee of two be appointed by the Speaker to wait upon His Excellency the Governor, and inform him the Assembly is organized and ready to proceed to business.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed as such committee, Messrs. Husted and Spinola.

Mr. Alvord offered for the consideration of the House a resolution in the words following :

*Resolved*, That a committee of two be appointed by the Speaker, to inform the Senate that the Assembly is organized and ready to proceed to business.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed as such committee, Messrs. Alvord and Ruggles.

Mr. Fish offered for the consideration of the House a resolution, in the words following :

*Resolved*, That a committee of two be appointed by the Speaker, to examine the ballots to be used in drawing seats, and compare them with the list of members.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed as such committee, Messrs. Fish and Tabor.

Mr. G. I. Post offered for the consideration of the House a resolution, in the words following :

*Resolved*, That when this House adjourns, it do so to meet at four o'clock, and that when convened, the members proceed to draw for seats in the usual manner; that previous to such drawing, the Chamber be cleared of all persons except members and officers, and that the members retire to the cloak-room, and remain there until their names are drawn and called, under the direction of the Clerk of the Assembly.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Messrs. Vedder and Kennedy appeared, as a committee on the part of the Senate, and announced that the Senate was organized and ready for business.

Mr. Baker offered for the consideration of the House a resolution, in the words following :

*Resolved*, That the rules of the last Assembly be and they are hereby adopted for the government of this body until otherwise ordered, and that said rules be referred to the committee on rules (when appointed), to make such revision thereof as they shall deem proper, with power in said committee to report at any time.

Mr. Spinola moved to amend said resolution by amending the sixty-third rule so as to read "twelve hours," instead of "two days."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Messrs. Husted and Spinola, the committee appointed to wait upon His Excellency the Governor, appeared, and reported that they had discharged that duty, and that His Excellency the Governor, would communicate with this body in writing.

Messrs. Alvord and Ruggles, the committee appointed to wait upon the Senate, appeared, and reported that they had discharged that duty.

The private secretary of His Excellency the Governor appeared, and presented to the House a message from His Excellency, in the words following :

STATE OF NEW YORK, }  
EXECUTIVE CHAMBER, *January 2, 1877.* }

*To the Legislature:*

At the commencement of my service as chief magistrate of the State, it is gratifying to find the legislative representatives of the people assembled in their respective chambers and ready to unite with me in such measures as the welfare of our constituents may demand. In entering upon our duties it becomes us to acknowledge our dependence upon the Supreme Power which controls the destinies of States and nations, and which has so often interposed for our deliverance from danger, and humbly to implore a continuance of its guidance and protection.

We ought also at all times to remember that we are not here to promote our own individual interests. The people have not chosen us and sent us to their Capitol for any such purpose. On the contrary, they have placed in our hands a great and sacred trust, to be administered for their benefit and for the interest and honor of the inhabitants of the whole State, without regard to locality, religious creed or political party. The money which they pay into the public treasury is not our money; nor is it the money of the State, except as the people are the State. It still belongs to them until it is paid out by their agents for the legitimate expenses of their government as provided by the Constitution and laws. If a single dollar be otherwise appropriated or paid, it will be a breach of trust for which there can be no justification or excuse. Let us keep these principles constantly before us as we proceed with our respective duties.

FINANCES.

The accounts of the financial affairs of the State are kept with thirteen different funds, counting the several canal funds as one. The details of the accounts will be found in the Comptroller's report. The following statement exhibits the financial condition of the State at the close of the fiscal year, as it would be if all the funds were condensed into one:

Aggregate balance in the treasury of all the funds, October 1, 1875,	\$8,126,778 98
Aggregate receipts during the fiscal year ending September 30, 1876.....	18,623,986 29
Total.....	\$26,750,765 27
Deduct payments during the year .....	17,827,711 49
Balance in the treasury September 30, 1876 .....	<u>\$8,923,053 78</u>

A large proportion of the above balances in the treasury consist of money in the various sinking funds.

The amount of receipts into the treasury on account of the General Fund revenue during the year ending September 30, 1876, was..		\$11,646,517 68
The payments, including the deficiency of \$788,863.77 on the 1st of October, 1875, and also \$4,640,849, transferred to the Bounty Debt Sinking Fund, were.....		11,644,982 98
Balance September 30, 1876.....		<u>\$1,584 65</u>

The balance, although small, is more satisfactory than the large deficits which have almost uniformly appeared for many years past.

## DEBT.

On the 30th of September, 1875, the total funded debt was \$28,328,686.40, classified as follows:

General Fund.....	\$3,119,526 40
Contingent .....	68,000 00
Canal .....	10,086,660 00
Bounty.....	15,054,500 00
	<u>\$28,328,686 40</u>

On the 30th of September, 1876, the total funded debt was \$23,315,898.58, classified as follows:

General Fund.....	\$3,092,288 58
Contingent .....	5,000 00
Canal .....	10,081,660 00
Bounty.....	10,137,000 00
	<u>\$23,315,898 58</u>

Actual reduction of the debt during the year by cancellation... .. \$5,012,787 82

Aggregate amount of debt.....	\$23,315,898 58
Deduct money and securities in the sinking funds.....	14,191,889 50

Total amount of debt after applying sinking funds ..... \$9,124,009 08

The bounty debt will mature on the seventh day of April next. The sinking fund, together with the one-third mill tax, now in course of collection, will be sufficient for its full payment.

The balances in the sinking funds on the 30th September, 1876, including money and securities, were as follows:

General Fund.....	\$2,910,529 86
Canal .....	2,121,050 24
Bounty.....	9,160,309 90
Total.....	<u>\$14,191,889 50</u>

It must be observed, however, that the amount in the General Fund Debt Sinking Fund cannot all be applied to the payment of that debt, without leaving a large deficiency of means for paying the current expenses of the government. The full amount required for the payment of the debt was contributed from the surplus revenues of the canals, as directed by the Constitution, the last contribution having been received in 1873. But instead of being applied to that object, it was used to pay other appropriations made by the Legislature, and not otherwise provided for, and has never been fully restored. The debt, therefore, remains uncanceled, and, if ever paid, it must, to a large extent, be paid by taxation. The whole of it—except \$800,000, due in 1878, and



\$30,443.76, due on demand — is payable at pleasure, and is held by the State as an investment for the various trust funds. In this condition it will of course remain, the interest upon it being paid to the respective funds for which it is held, so long as the Legislature may choose to leave it in that shape. It would be more satisfactory, and in better accord with the Constitution, to have the whole debt extinguished, and the money belonging to the trust funds invested in other securities. It is believed that the \$800,000 due in 1878 may be paid from the sinking fund without taxation.

#### CANALS.

The report of the Auditor of the Canal Department exhibits in detail the operations, revenues, debts and expenses of all the canals. It will be unnecessary to present here any thing more than a few of the leading and important facts.

The gross amount of income from tolls and other sources for the year ending 30th September, 1876, was \$1,487,332.89, being \$438,662.74 less than in the preceding year. The cost of collection, ordinary repairs and other charges on revenues amounted to \$1,149,194.61, being \$318,121.34 less than in the preceding year. The Erie canal produced a surplus of revenue over expenses amounting to \$508,953.14. The other canals all show small incomes and large deficiencies of revenue as follows:

	Gross income.	Deficiencies*
Champlain.....	\$94,944 55	\$83,667 51
Oswego.....	29,048 35	27,175 17
Cayuga and Seneca.....	11,083 99	14,312 34
Chemung.....	2,104 84	7,689 87
Chenango.....	3,717 88	4,602 03
Black River.....	11,339 28	23,734 85
Genesee Valley.....	14,668 50	8,595 60
Crooked Lake.....	30 48	1,562 41

The year has been one of unprecedented disaster to the boatmen and to all others engaged in the navigation of the canals. In addition to the great depression in every branch of business, there has been an extraordinary competition between the railway lines extending from the Western States to tide-water, which has diverted trade from the canals, and notwithstanding the very low rates of toll, there has been a large falling off in tonnage as well as revenues. Many boats have been laid up; others have been run at a heavy loss and none of them appear to have made any profits.

The effective measures of reform which have been enforced within the last two years, arresting mismanagement and fraud and reducing expenses, have saved the canals from total ruin. Small as the income is, the expenses have been reduced below it, and yet the canals have been kept in complete repair during the entire season. Their future success, if they are to have any, must depend upon a faithful perseverance in this policy.

The question of high or low tolls in the present condition and prospects of canal transportation is one about which there would seem to be no ground for any difference of opinion. Under the Constitution, as now amended, no more money can be expended on the canals in any one year than the gross amount of their revenues for the preceding year. It is, therefore, indispensable for the forwarders to pay such tolls as are required to keep the canals in running order; and no one can reasonably ask them to pay any more, when they are making losses instead of

profits on every cargo which they carry. It is true the Constitution requires the canal debt to be provided for from the surplus canal revenues, but no law can enforce impossibilities.

It is to be hoped that the depression in trade will not be of long continuance, and that prosperity may soon return to the canals. It is believed that the railways cannot continue permanently their unreasonable competition without involving themselves in ruin. When such a change shall take place that forwarders can again realize a fair income from their business, they will, of course, be required to pay such tolls as will provide for the canal debt. Until that time it must inevitably be a charge upon the tax-payers of the State. With the usual amount of freight, at fair prices, the present rates of toll will doubtless be sufficient for all purposes, and with continued economy in expenses, they may probably be still further reduced. Since the close of navigation the railway companies have agreed upon an increase of freights; but the past history of such agreements leaves it uncertain whether this one will be of long duration.

It is perhaps unnecessary to add that any expenditures, under present circumstances, for enlargements or extraordinary repairs, should not receive encouragement from any source.

Those who have suffered most severely by the loss of business upon the canals are the boatmen, and although it may not be in the power of the Legislature to relieve them, it is impossible to withhold from them our sympathy. The number of their boats is about 6,000. They are in one sense the partners of the State. They do the work which produces the revenue to keep the canals in repair. Their labor is severe, and their exposure great. In many instances their families live upon the boats, in order to reduce their expenses to the lowest point. No part of the plunder which others have received has ever gone to them; on the contrary, they have suffered from it by paying tolls which have been misapplied. But with all their labor and economy they have been unable during the past season to pay expenses. If any relief can be extended to them in the present depressed condition of trade, it must come from a further saving in the cost of maintaining the canals, and a consequent further reduction in tolls. Even this will not probably be sufficient to carry them safely through another season of such competition as they have encountered during the last year.

#### THE LATERAL CANALS.

Whether any further appropriations should be made on account of such lateral canals as the Legislature has a right to dispose of, can be best determined after receiving the report of the commissioners appointed by an act of the last session, to examine that subject. It will be seen by the results of the year's business given above, that those canals are rapidly disposing of themselves, and have already become of little value, even to the people living near them.

I learn from the commissioners that they have made the inspection and examination required by the act appointing them, and will soon be prepared to report. The act fixed their compensation, and directed its payment, together with their expenses, but made no appropriation, and they have not been paid. The necessary appropriation should be made.

#### STATE PRISONS.

The State prisons have kept on their way from bad to worse. The

number of convicts in the three prisons September 30, 1876, was as follows :

Auburn .....	1,281
Clinton .....	623
Sing Sing .....	1,605
Total .....	<u>8,509</u>

The excess of advances from the treasury over receipts from earnings was \$704,379.85. This deficiency is larger by more than \$100,000 than was ever before known. It is due to the present inspectors to state that they claim the increased deficiency to be largely owing to incumbrances which fell upon them from their predecessors.

A commission was appointed by an act of the Legislature of 1876 to make a thorough investigation of the affairs of the prisons. The commissioners have been actively engaged in the service during the whole summer and autumn. Their report will very soon be submitted to the Legislature, and will, I presume, cover the whole ground of prison management, discipline and maintenance. I commend it to the attention of the Legislature, without further comment at this time.

#### STATE REFORMATORY AT ELMIRA.

It is gratifying to be able to announce to the Legislature that a large portion of the Reformatory building has been finished and brought into use. With a reasonable appropriation, the entire structure will be completed within the present year. The board of managers, appointed by chapter 207, Laws of 1876, organized in accordance with the act, and succeeded in securing the services of a very competent and efficient superintendent. Having completed and furnished the south wing, they received 170 convicts from the Auburn and Sing Sing prisons, who were immediately put at work upon the north wing, the prison wall and workshops, which have been advanced rapidly towards completion. The superintendent estimates that with an appropriation of \$185,000, and with the privilege of using the prisoners without the interference of contractors, he can fully complete and furnish and bring into use all the buildings, including the prison wall, within the year, and support 300 convicts during the progress of the work, and that then, with possibly a small appropriation for maintenance in 1878, the Reformatory will cease to be a burden upon the State treasury. He is confident that it can be made entirely self-sustaining.

In 1874, the Governor in his annual message estimated the whole cost of the buildings at \$2,000,000. Assuming the above estimate of the superintendent to be correct, they will be completed for a little more than one-half of that sum. But for the ambitious style of architecture adopted at the outset, the cost would have been much less than \$1,000,000.

The design of the Reformatory was the reformation, as well as punishment, of young convicts who had not become hardened in crime. With this object in view it was originally enacted that no convicts should be sentenced to it except such as were over sixteen and under thirty years of age, and convicted of a first offense. It is a source of much regret to the friends of the institution that it should have been, even temporarily, diverted from its original purpose; but the crowded condition of the other prisons, and the necessity of relieving them as far and as speedily as possible, led to the use, for the time being, of the Reformatory for that purpose.

The managers will require some further legislation to aid them in the discharge of their duties, and to promote the objects of the institution. Their views and recommendations will in due time be laid before you.

#### CONSTITUTIONAL AMENDMENTS.

The people of the State, at the last election, adopted by an immense majority, the constitutional amendments which had been approved by two previous Legislatures, and which have thus become a part of the Constitution of the State. They provide for the appointment, by the Governor and Senate, of a Superintendent of State Prisons, with all the powers of the Board of Inspectors, and a Superintendent of Public Works, with all the powers of the Canal Commissioners. A radical change is thus made in the management both of the prisons and of the canals. In each case all power and responsibility are placed in the hands of one controlling executive officer.

Wearied with the frauds, the wasteful and extravagant expenditures which so often attend the management of irresponsible boards, the people have determined to make this great change, with the hope of better results. They undoubtedly desire that the amendments be carried into effect as speedily as possible. I recommend, therefore, that an act be passed with as little delay as may be proper, fixing salaries of the respective Superintendents, and also the amount of security to be given by each.

A brief act containing these simple provisions will be all that will be necessary before appointing the Superintendents, and enabling them to enter upon their important duties. If further legislation should then be found desirable, either in regard to the canals or the prisons, it could be perfected at the convenience of the Legislature, and with ample time for deliberation.

#### PUBLIC BUILDINGS.

One phase of the extravagance and folly, amounting almost to lunacy, caused by an inflated currency and inflated modes of life, developed itself in a passion for costly public buildings. Of these the New Capitol takes the lead. Its cost was originally estimated at \$4,500,000. There have already been expended upon it over \$7,500,000, and it will undoubtedly require as much more to complete it; and when completed it will be a vast pile of ornamental stone work, not at all in keeping with the tastes and good sense of plain, substantial people. In addition to this, it is discouraging to contemplate its completion in view of the enormous annual cost of heating, lighting, cleaning and superintending it.

Following in the wake of the Capitol are several Insane Asylums, the State Reformatory, houses for Normal Schools, High Schools and other buildings upon which millions of the people's money have been wasted in useless ornaments and luxurious arrangements. In behalf of those which are not yet completed — embracing nearly all of the most costly structures — the usual representation is made that unless we go forward and spend the further amounts required for their completion, we shall lose all that we have expended. Whatever force there may be in this argument, I confess that in the present condition of financial affairs, the actual distress caused in many homes by the payment of their heavy taxes, I should prefer to have the expenditures cease, the tax-payers relieved and the buildings left as they are, at least, until the advent of better times. Fully responding to the demands of humanity in behalf

of the unfortunate poor, I cannot see the propriety or the justice of reducing a large body of taxpayers to pauperism for the purpose of building gorgeous palaces in which other paupers are to be supported at the public expense.

#### STATE BOARD OF HEALTH.

Several medical gentlemen of great eminence in their profession have asked my attention to the subject of a State board of health. They believe that such an institution would render essential service in the prevention of sickness and the preservation of life and health. They claim that, in almost every case where local epidemics have prevailed with a severity and fatality which seemed mysterious, their origin can be traced to some neglect of sanitary precautions or to some cause which a properly organized board of health would have discovered and removed. Important as this subject is, it has been impossible for me to find time for such an examination of it as would justify any specific recommendations. I can only ask your careful consideration of it. I do this the more willingly because I am assured that it is not intended that any expense shall be incurred by the State beyond a moderate salary for the secretary of the proposed board.

#### COMMISSIONERS OF EMIGRATION.

The condition of the affairs of the Commission of Emigration is embarrassing, and demands prompt consideration. The commission is charged with the duty of watching over all emigrants landed in the city of New York, on their arrival; and, in the cases of any who fall into distress, for some years afterwards.

Heretofore, under authority of the laws of this State, bonds have been required with conditions to indemnify the cities, counties and towns of the State against these passengers becoming a public charge upon them. The practice has been to accept, in lieu of the bond, a certain sum in cash from each passenger, which money constituted the revenue or fund of the commission, out of which it has reimbursed the several counties for any expenditures made in support of distressed emigrants within the period named. This revenue is now entirely cut off by a decision of the Supreme Court of the United States, declaring all such laws unconstitutional. The decision was rendered on the 21st of March, 1876, since which date no commutations have been paid nor bonds given.

Out of the moneys heretofore collected by the Commissioners of Emigration, as agents of the State, the public faith is pledged to provide for all emigrants—in behalf of whom contributions to the fund were made—who may need assistance within five years from the date of their arrival.

There are 120 acres of land on Ward's island upon which were erected hospitals, a refuge, an asylum for insane persons and other buildings, for the use of the commission. The lands were bought and the buildings erected out of the commutation moneys. The title to the property is in the State. The commission estimates its value at \$2,000,000. It is subject to a mortgage of \$200,000.

The Legislature last year, on the recommendation of the Governor, appropriated \$200,000 toward the current expenses from May 1, 1876, to May 1, 1877. Of this there had been expended, up to the third of November last, \$109,000.

I learn by a communication from the president of the commission, dated December 13, 1876, that the number of passengers from foreign

ports landed at New York from January 1, 1876, to the above mentioned date, was 109,592. That of these the number which came under the immediate care of the board was 72,326. The number admitted during the same period to the refuge and hospital was 3,953, of which number 687 remained in the institutions — 331 being sick in the hospital, 141 insane in the lunatic asylum, 162 crippled or otherwise disabled in the refuge, and fifty-three children in the nursery.

It seems necessary that some provision be made by which the public faith may be kept with the emigrants — at least until the relief which is sought through a bill pending in Congress is obtained. The importance of the question as to how we are to deal with emigrants is shown by the fact that out of a little more than 8,000,000 reported as arriving since May, 1847, nearly 6,000,000 were landed at New York. Further details will be found in the annual report of the commission.

#### SAVINGS BANKS.

Recent disasters among our savings banks admonish us of the necessity of rigid restraints against mismanagement. These institutions are created for a special purpose, to wit, to take charge of small savings; the saving of those who handle little money, are inexperienced in investments, and to whom the loss of any part of their limited capital is a serious calamity. Every thing practicable should be done toward absolute security, and the money deposited by this class of persons should never be mixed up with that of others who handle large sums, and are capable of taking care of it for themselves, nor should it be subjected to the risks which persons of greater means and large experience are accustomed to take.

I recommend a re-examination of the general law passed in 1875, regulating these institutions. Section 34 of that act provides, that for the purpose of ascertaining the surplus held by a savings bank, its interest-paying stocks and bonds shall be estimated at their market value. I suggest instead, that such investments shall not be estimated above cost, nor above par, nor above market value. Any advance in cost is unrealized profit until the stocks are sold; and it may never be realized. If a premium above par has been paid, or is indicated by the current market value, this is sure to disappear if the stocks or bonds are held till maturity; it should not be counted as an asset, except when the bonds have been sold before maturity, and the premium is actually on hand.

I suggest, also, that the privilege, granted by section 27, of leaving ten per cent of the aggregate deposits, and also the current cash daily balances, of savings banks; with an ordinary bank or trust company should be taken away. This is mingling the money of the poor with that of the more speculative and more watchful classes, and subjecting it to the same risks. It is inconsistent with the provision of section 30, which forbids a saving bank lending any part of its funds upon notes, bills of exchange, drafts, or any other personal securities whatever. For such is the very class of securities on which the ordinary business bank will risk the money of the savings bank, in common with that of its other customers. It is, no doubt, desirable that a certain portion of the means of a savings bank should be in such shape that it can be promptly realized; sufficient provision to this end is otherwise made by the same section 27, which now authorizes temporary loans directly by the savings bank itself, upon certain classes of stocks and bonds. I see no reason why a savings bank should not keep its cash means as other banks do, in its own custody, in its own vaults.

An aggregate amount of deposits is now allowed to be made by one person, up to \$5,000. I suggest that it be reduced to \$1,000, or at most \$2,000; and this inclusive of accumulated interest. Persons of considerable means now put money into a savings bank in order to get better interest than elsewhere. The institutions are not meant for this class. The possession of considerable means implies the capacity to take care of money. Nor do I approve of the provision of section 22, allowing deposits to be received from corporations and societies. Every association must necessarily have a business head, capable of taking proper care of its funds. An association of any kind does not need the aid of a savings bank.

Section 23 implies that savings banks may properly receive deposits of money paid into court or under the order of a surrogate. A separate class of institutions—trust companies—have been provided for this special purpose, and such deposits are, for the most part, in large sums. All the creditors of a savings bank ought to be of the same class, to wit, creditors for small sums. I am inclined to the opinion that the disasters among our savings banks are due, to some extent at least, to their having sought, of late years, after a class of business which formerly they never undertook, and for which they are not intended.

Section 33 provides that dividends may be made of not exceeding six per cent per annum. This limit, I think, should be reduced to five per cent. High interest and increased risk always go together. Government bonds pay now only four and a-half per cent per annum, and savings banks ought not to be tempted, by efforts to pay high interest, into dealing into any but the very safest securities.

Section 33 requires every savings bank, when it has acquired a surplus of ten per cent, to divide all accumulations beyond that. I submit that ten per cent is not sufficient guarantee against losses. In view of the great and sudden depreciation to which property of all kinds is sometimes liable, as we know by present experience, I am not sure that any limit should be put upon the accumulation of a surplus fund. Such a fund had better be too large than too small. It seems to me that the limit of ten per cent is, at all events, much too low. These suggestions are respectfully submitted to your consideration. The purpose I have in view is, that this class of institutions, so valuable to the welfare of the great mass of the community, shall be rigidly confined to the duty for which they were created. They are semi-charitable in their nature, and their aid should not be given to nor their benefits shared by those who need no help.

**COMMON SCHOOL STATISTICS FOR THE YEAR ENDING SEPTEMBER 30, 1876.**

Total receipts, including balance on hand September 30, 1875....	\$12,643,969 59
Total expenditures.....	11,410,288 71
Amount paid for teachers' wages.....	7,949,085 17
Amount paid for school-houses, repairs, furniture, etc.....	1,779,124 19
Estimated value of school-houses and sites.....	\$1,817,904 00
Number of school-houses.....	11,571
Number of school districts, exclusive of cities.....	11,027
Number of teachers employed for the legal term of school.....	19,841
Number of teachers employed during any portion of the year....	30,209
Number of children attending public schools.....	1,067,199
Number of persons attending normal schools.....	6,391
Number of children of school age in private schools.....	184,404
Number of volumes in school-district libraries.....	804,802
Number of persons in the State between the ages of five and twenty-one years.....	1,585,601

The foregoing statements should attract attention. Previous to the year 1856, the State appropriated \$800,000 per year for the support of the common schools. The act of 1856 changed the practice by levying a three-quarter mill tax, which produced a little over \$1,000,000 per year, until 1867, when the rate was raised to one and one-quarter mills, which produced over \$2,000,000, and in consequence of the recent extraordinary increase of valuations, it now produces over \$3,000,000, and for the next fiscal year it will be probably \$3,500,000. Adding to this the amount raised by local taxation, for the same object, we have a grand total of over \$12,000,000.

The amount paid for teachers' wages during the past year was \$7,949,085.17. The whole number of children attending public schools was 1,067,199. The number attending normal schools, 6,391. The number of children of school age in private schools, 134,404. If to all these we add the numbers of those who are instructed at home by private tutors, in academies, colleges and other institutions, not reported, some idea may be formed of the immense amount of money drawn from the people of the State, voluntarily or by taxation, for school purposes. Without intending to intimate the least suspicion that any part of this large amount is unwisely or improperly expended, the subject is of such magnitude as to be worthy of careful examination and scrutiny.

The question whether the State can educate all the children within its limits better than they can be educated in schools organized, conducted and paid for by the parents of the children themselves, has been decided in favor of the State, which is now conducting the experiment on a very large and expensive scale. It is of the utmost importance that the experiment should be successful, and that it should be so conducted as to merit the confidence and support of the entire community. To this end, if there are any errors in the mode of conducting it, they should be corrected before they lead to evils which it may be difficult, if not impossible to remedy.

The only ground upon which citizens who have no children can justly be compelled to pay taxes for the education of the children of others is, that it is necessary for the safety of the whole people, under our form of government. Our institutions, by their very theory, carry with them the assumption of a certain grade of intelligence among the citizens. It seems, therefore, to be the duty of a State to see to it that each and every citizen, so far as practicable, shall be educated to such a degree as will enable him to read and understand the laws, the Constitution and the ballot that he votes on election day. The schools in which education is given to this extent always carry their line of instruction far enough to embrace all the branches usually taught in our common schools. It seems to me to be a clear violation of personal rights for the State to go beyond this and levy taxes to support free academies, high schools and colleges, in which the higher branches of literature and science are taught, and young men prepared for the learned professions. This should be left to individual effort, from which better results always come than from any amount of donations from the State.

It should also be remembered that the expenditure of such large amounts of public money has almost invariably led to great abuses, and there is no security against the same tendency in educational management. The expenditures for school-houses, repairs and furniture, during the last ten years, have amounted to \$19,569,109.97. It is, perhaps, well to inquire whether this large amount has been wisely expended, in



the construction of plain, substantial and comfortable school-houses, or whether it has been, to any extent, handled by fraudulent contractors, or devoted to the construction of costly and ornamental buildings for the benefit, possibly, of the owners of adjoining property.

I would also suggest an inquiry as to whether the normal schools are really worth to the system what they cost. I am informed that a very large portion of the pupils instructed in them never follow the profession of teaching for any length of time.

There ought, also, to be found some remedy for the great abuse and expense arising from the number of new school books, and the frequent changes made, for no good purpose but simply to benefit the publishers and agents. It is undoubtedly true that inducements are frequently offered to school authorities and teachers to aid in the work of changing books and selling new ones. It would be strange if these temptations were always resisted. It seems to me proper that the Legislature should fix some limit to this evil.

Finally, I would recommend a return to the former system of making an appropriation of a specific sum in each year from the State treasury for the benefit of the common schools, and put into the tax levy a rate sufficient to cover the amount — \$2,500,000 at the utmost ought to be, and will be, amply sufficient, if proper care is taken in the use of it. These suggestions are made in a spirit of sincere friendship to our common school system, to the end that it may not be exposed to any just objection; that its administration may be characterized by a wise economy, and by a degree of purity which shall place it above suspicion, and keep it in the future as it now is, strongly intrenched in the confidence of the people.

#### COLLEGES AND ACADEMIES.

The annual report of the Regents of the University, soon to be communicated to the Legislature, will fully exhibit the condition of the colleges and academies of the State. Notwithstanding the stringency of the times the aggregate attendance in the colleges is somewhat greater, and but little less in the academies, than during former years. Some institutions of either class are adequately endowed, and others are making vigorous efforts to secure such an amount of productive funds as will place them on a secure financial basis.

#### THE STATE LIBRARY AND MUSEUM OF NATURAL HISTORY.

The Regents of the University, as trustees of the State Library and State Museum of Natural History, will report their condition, in detail, at an early day. Valuable additions to both have been made during the past year, the library having increased to more than 100,000 volumes. In the departments of law and American history it is unsurpassed by any other State library of the Union.

#### THE NATIONAL GUARD.

From the report of the Adjutant-General, as well as from my own limited observation, I learn that the condition of the National Guard is entirely satisfactory. The appropriations made for its support and improvement have been carefully and judiciously expended. The organization, spirit and discipline of the officers and men were never better. The improvements in rifle practice, to which special attention has been given during the past year, have been of a very gratifying character, and will be continued. At a comparatively small annual cost the National

Guard is kept in such a condition of organization and discipline as to constitute a nucleus around which a large force could, if necessary, be gathered and made effective in a very short time.

At the present time the National Guard consists of eight divisions, eighteen brigades, one regiment and eleven separate troops of cavalry; one battalion and eleven separate batteries of artillery; twenty-five regiments, twelve battalions and eighteen separate companies of infantry — in all comprising 1,546 commissioned officers and 19,878 non-commissioned officers, musicians and privates, making an aggregate force of 21,424, showing an increase of 2,011 over the aggregate of last year.

#### REDUCTION OF TAXES.

In 1873 the State tax was.....	\$14,800,903 88
In 1874 the State tax was.....	15,727,482 08
In 1875 the State tax was.....	14,206,680 61
In 1876 the State tax was.....	8,529,174 32

The large reduction of taxes for State purposes, shown by the above statement, is due in some measure to the reduced amount required for the bounty debt, but mainly to the stopping of expenditures for new works and extraordinary repairs upon the canals, and to the other reforms and economies which have been inaugurated and enforced during the last two years. By a rigid adherence to this policy the taxes may be still further reduced during the present year. Unless the people permit a renewal of the wasteful expenditures of former years, they will hereafter have no cause to complain of the amount of State taxes. The load which oppresses them most heavily will be found at their own doors in their town, county and city taxes. When they have the courage to look these in the face, and insist upon their reduction within reasonable limits, they will obtain the full measure of relief to which they are entitled.

The rate of taxation for the current fiscal year was fixed by the Legislature at its last session at three and eleven-twenty-fourths mills. For the next fiscal year it is estimated that two and three-quarter mills will be sufficient. But this estimate is based upon the assumption that the Legislature will decline to make appropriations which are not required for the legitimate expenses of government.

#### INCREASED VALUATIONS.

The State Assessors inform me that there will be a very large increase in the valuations, especially in the agricultural districts, carrying the total valuations for the whole State up to the probable amount of about \$2,800,000,000. This extraordinary increase is of doubtful propriety. It seems to be an effort to follow upward the unnatural prices caused by the currency inflation, at a time when the inflation has produced its inevitable disasters, and when prices are rapidly falling nearer to actual values. The effect of the increase is to render it uncertain what amount any specified rate will produce. Instead, therefore, of levying specific rates for particular objects, which may produce too much or too little, it would be better to appropriate the amounts required, and fix a rate sufficient to cover them, so that, if there be a surplus, it shall remain in the treasury.

The efforts of the assessors should be not so much to increase valuations as to produce a just and equitable distribution of the burdens of taxation among the people. When this point is gained it is of little importance whether the valuations are above or below what are called actual values. For many obvious reasons it would be better that they should be below rather than above. The true value of property is rarely

known. It is not a matter of fact, but of opinion. Hence it is always estimated, and the tendency usually is to estimate too high.

#### EXEMPTING CHURCHES, ETC.

It is proper to refer in this connection to propositions which are sometimes made to increase the valuation by changing the policy which has always prevailed in this State of exempting churches, schools and hospitals from taxation. I cannot too strongly express my disapproval of any such change. Our people of all classes and all creeds have surrounded themselves with these institutions of civilization which are foremost in the influences that diminish the expense of government by lessening the infractions of law. They should not be discouraged by the imposition of burdens from which they have hitherto been exempt.

#### SURPLUS OF THE BANKS.

Taxing the whole surplus of the banks in addition to their capital is neither equal justice nor sound policy. Besides compelling them to pay more than their fair proportion, it induces them to divide their surplus among the stockholders, thereby diminishing the security which it gives to the public so long as it is held by the banks. In times like the present the exigencies of every day may diminish both surplus and security. The subject is submitted to your careful consideration and wise discretion.

#### LEGISLATION IN APPROPRIATION BILLS.

A very objectionable practice has grown up of inserting general legislation in appropriation bills. The effect of it is to conceal legislative provisions in places where they ought not to be and where the public generally do not think of looking for them. It also puts it beyond the power of the Governor to withhold his approval from such provisions unless he vetoes the whole appropriation bill in which they are contained. I trust that the practice will be discontinued altogether, and that the question may not be presented as to whether such provisions shall become law, or whether the appropriation bills containing them shall be returned disapproved.

#### THE STATE SURVEY.

Several instances of the pernicious mode of legislating above referred to will be found in the "supply bill" passed at the last session. The most conspicuous among them is the provision for instituting and organizing "an accurate trigonometric and topographical survey of the State." Without any application by the people, with no appreciable evil to remedy, with no practical inconvenience in the experience of a hundred years, and at a period of great pecuniary embarrassment, a plan is enacted in an appropriation bill for embarking the State, against the wishes of its people, in a work which promises to run through half a century, and to cost an unlimited amount of money. The mode and the matter of the enactment are alike objectionable, and I recommend the prompt repeal of that portion of the supply bill.

#### THE CURRENCY.

The vast agricultural, manufacturing, commercial and financial interests of the State make a sound and stable currency a matter of the highest importance. It is, however, of little use to enter into any extended discussion of the subject here. The country has been deluged with essays in regard to it, and all intelligent readers have as much information as

they can hope for from such sources. So far as legislation can produce any effect, it must be looked for in congress; the State is, of course, powerless in that direction. Fifteen years ago, wise action in the national legislature would have saved the country from the universal collapse which has fallen upon all business pursuits. At that time the whole amount of currency in circulation in the United States was estimated at between two and three hundred millions of dollars. Within four years from that time, the amount was carried up to nearly eight hundred millions, and has hitherto been kept up to over seven hundred millions. The result is the same as has always been produced by similar experiments, ever since a circulating medium has been known and used in the commercial world. There was a rapid rise of prices, wild speculations, all branches of business unduly stimulated, over-trading, luxurious habits of living, general demoralization, followed by the inevitable revulsions, wide-spread bankruptcy, suspension of industries, and multitudes of people deprived of employment and of the means of supporting life. Whilst we can only look to Congress for any legislative measures of relief from this state of things, it is quite evident that very little can be hoped for in that way. Substantial relief will only be obtained by a correction of the bad habits into which we have been led; by a return, if need be, to the simplest industries, to a reduction of all unnecessary expenditures, and a rigid economy, both in public and in private life.

#### RAILROAD REPORTS.

Complaints are frequent among persons interested, both stockholders and bondholders, that the reports now rendered by railroad companies, including those operating street roads, are not in such forms as to afford a clear and satisfactory view of their condition. These corporations being creatures of the State, endowed with great privileges, it is right that we should require from time to time, from each one of them, a full and clear exposition of its situation. Companies whose affairs are in a good condition will have no objection to this being made known, and it is due to the people that if any are unsound their condition should be exposed as promptly as may be. Concealment of such a state of facts from all but a few principal managers will often enable those who are most to blame for waste and loss to shift the burden thereof upon the shoulders of innocent persons.

A memorial has been sent to me, addressed to you and to the Legislature of all the New England States, recommending a certain form of returns, which has been agreed upon, after consultation with some prominent railroad companies, in a conference of the commissioners of those States, and the State Engineer and Deputy State Engineer of this State. The memorial is signed by all these parties. One object in view is that the returns shall be of one and the same form in all the States, with the hope, no doubt, that this uniformity will be extended to those of the whole country. It is obvious that where the line of a railroad extends into two States, as is frequently the case, it must be more or less inconvenient to the company to make up its statements in two different forms, and that, moreover, there will be advantages to the public in having these returns uniform. I suggest to you an amendment of the general railroad law, giving to the State Engineer the power to prescribe the form of the returns — the same power that is vested in the railroad commissioners in Massachusetts — and such other power pertaining in that State to rail-

road commissioners as may be necessary to ensure and enforce a proper exposition of the actual condition of these companies. You will be able to judge of this matter better after an examination of the memorial, and the papers accompanying it, which I shall cause to be sent to you. The form upon which the memorialists agreed will be found in the possession of the State Engineer.

#### INSECURITY OF PLACES OF PUBLIC RESORT.

The recent calamity at the Brooklyn Theater, said to be unequalled in horror by any like event heretofore, calls our attention most forcibly to the duty of providing by law, and by the severest penalties, against such disasters in the future. Those who seek to make money by gathering the people in crowds into their buildings, are bound to take every precaution to insure their absolute safety. The Legislature should enact regulations for all such buildings, so as to provide for the prompt suppression of fire and rapid egress for the crowd in case of alarm. In fact, the provision for safety and for exit should be so complete and so manifest that panics would not occur.

The danger is not limited to theatres and places of public amusement; rooms used for lectures or for public meetings, our large school-houses and even churches are, for the most part, so constructed that in case of panic a large number of the crowd within is likely to be fatally injured in the fierce, natural struggle to escape.

The buildings owned by the public are as faulty as those used for private purposes. We are familiar with one or more fatal disasters among the children who, in cities, are crowded into four-story school-houses.

Attention should, also, be given to the security of passengers in cases of fire upon steamboats and railway trains.

Nothing more than this brief allusion to the topic can be necessary. Even without it, I am confident that you would promptly have given your attention to the subject.

#### MUNICIPAL REFORM.

The report of the commission, appointed by my predecessor, to consider the subject of the government of cities, has not yet been received. I hope that I shall be enabled to present it to you early in your present session. In some respects the government of the city of New York is in almost a chaotic condition; appropriations of money are regulated, not by the Common Council, but by a board of four persons, of whom only one is chosen by the people. The distribution of administrative and legislative powers is imperfect and uncertain. An out-going mayor has power to appoint, in some cases, subordinate administrative officers for a term exceeding that of the incoming mayor. Of the enormous debt resting upon the city, as I learn from one of the commissioners, the amount of \$85,000,000 has been created by direct action of the State Legislature, without being asked for or approved by the common council of the city or the board of supervisors of the county, or by its taxpayers or its people. There are twenty-one of these objectionable laws still in force, under which the full amount of debt authorized by them has not, as yet, been contracted. It would be well to examine into this matter at once for the purpose of repealing such of these acts as, in your judgment, should not be left in force. In some of the acts the amount of indebtedness has no limit, but it is provided that, on the simple requisition of a subordinate administrative department, bonds of the city may

be issued, provided that they do not exceed a certain sum per annum. The number of years during which the acts may continue to apply is not defined. The laws referred to are, in many instances, imperative, requiring the debt to be contracted.

The evil practice of commanding the creation of debt for local purposes, by local governments, is not confined to laws relating to the city of New York alone. Upon our statute book will be found many acts "authorizing and requiring" boards of supervisors, trustees of villages and the like, not only to levy extraordinary local taxes, for purely local purposes, but to incur indebtedness for such purposes. The duty of the Legislature in such matters is properly defined in article 8, section 9, of the Constitution, which says: "It shall be the duty of the Legislature to provide for the organization of cities and incorporated villages, and to restrict their power of taxation, contracting debts," etc. Whenever the Legislature undertakes to impose on a neighborhood local taxes or local indebtedness for local purposes, it assumes to have a knowledge of the case which none can have except those who live in the neighborhood affected. It undertakes to discharge the functions of village trustees, town officers, city aldermen or supervisors of counties; for which functions the men selected especially for these places are better fitted. Whatever evils may occasionally appear in local government should be remedied by the people at home, upon whom the responsibility should rest.

#### CORRUPT USE OF MONEY IN ELECTIONS.

The Constitution and laws of this State contain many very stringent and excellent provisions for securing the purity of the ballot box and preventing the corrupt use of money in elections. The penalties which they inflict upon those criminals who violate them are very severe. It is, however, apparent that in every important election the laws upon this subject are grossly violated, or evaded. I recommend a thorough re-examination and revision of them with a view of rendering convictions more certain and with additional and severer penalties. So vitally important is the preservation of the purity of elections to the permanent existence of our form of government, that in my opinion any man who buys or sells a vote should be forever thereafter disfranchised and subjected to such other penalties as will be most likely to prevent the commission of the crime.

#### BETTING UPON ELECTIONS.

Another gigantic evil, closely allied to the corrupt use of money, is the practice of betting upon the results of elections. This practice has always existed to some extent; but it, and the evils resulting from it, have recently been developed to an alarming extent. It is unquestionably true that many millions of dollars were staked upon the result of the late election. Every person interested in such bets had a strong motive for corrupting and bribing voters, and there is no doubt that many yielded to the temptation. The heat and excitement of the contest were also greatly intensified by the same cause. I recommend the enactment of a law, with severe penalties, entirely prohibiting all bets, direct, or indirect, upon the result of any election.

#### NATIONAL AFFAIRS.

The recent presidential election threatens to prove an epoch of solemn portent in our history. For the first time in the twenty-two elections which have been held for President and Vice-President of the United

States, the result remains a subject of controversy after the canvass of the votes within the States has been made and announced. The two houses of Congress have been heretofore repeatedly required to pass upon the authenticity and validity of electoral votes, but in no former instance has the election turned upon the questionable votes. In every former case the result has been determined by electoral votes which were not in controversy. In the present instance one candidate for President and one candidate for Vice-President have received 184 undisputed electoral votes, as well as a popular majority exceeding a quarter of a million. Another candidate for President and another candidate for Vice-President have received 165 undisputed electoral votes. All the votes of three States — four in Florida, eight in Louisiana and seven in South Carolina — making nineteen in all, are still in dispute; also one of the three votes of Oregon. In all these cases two sets of returns have been "transmitted to the seat of government, directed to the President of the Senate," to await the action of the two houses of Congress whose duty it is to verify, ascertain and count the electoral votes.

In a situation involving such momentous results as the chief magistracy of this republic, all the baser as well as the better forces of society are naturally embattled to secure the prize. It is in such crises of history that the controlling force of cardinal principles is liable to be weakened, dangerous concessions to be made, perilous precedents established, sacred traditions violated, and the most important bulwarks of constitutional freedom rendered less secure.

In Louisiana we have seen a State government imposed on the people by the military force of the federal executive, under color of a pretended order of a federal judge, which order in itself was void, and which led to the resignation of the judge who made it, to escape impeachment. We have seen the government thus imposed by military force condemned as illegal and a mere usurpation, by both houses of Congress, and the electoral votes given under its auspices, rejected in the counting of the presidential votes in 1873 by the concurrent judgment of the same tribunal. We have seen the government so imposed create "a returning board" practically vested with absolute power to revise and, if they please, to reverse the results of the election by the people of the State, and thus organize a political mechanism under which an oligarchy in temporary possession of the legislative power of a State might perpetuate their ascendancy indefinitely.

I pause here in this statement to interpose, in behalf of the people of this great commonwealth, a solemn denial of the power of any State government or of the federal government to vest such powers as are claimed by the Louisiana returning board in any canvassing board whatever.

In the first place, such powers in respect to the choice of presidential electors are not warranted by, but are repugnant to the Constitution of the United States. The provision of section 1 of article 2 of that instrument, "that each State shall appoint, in such manner as the Legislature thereof may direct, its presidential electors," does not confer on the Legislature of a State an unlimited power over the subject. No one will pretend that a temporary majority in the Legislature of a State could grant to an individual or to a set of individuals, the power to appoint presidential electors; that it could make this grant for a period of years, or indefinitely, or to his or their heirs or assigns.

What it cannot do in form it cannot do in substance; what it cannot

do directly it cannot do indirectly. The choice which a Legislature is authorized to make for a State, in the mode of appointing presidential electors, is limited to a mere selection between certain known forms of action, recognized in the practice of popular government, and consistent with the nature of popular government. It is a choice of modes, but must not change or destroy the essential character of the thing itself. It is subject to the condition that "the State shall appoint" the presidential electors. The State, that is, the political community known in our jurisprudence and constitutional law by that name, must "appoint," and in doing so it must act by and through its known and rightful organs. At the time this provision of the federal Constitution was adopted, it was contemplated that the Legislature of a State possessing all the governmental powers not withdrawn by the provisions of the State Constitution, or transferred to the government of the Union, might itself choose the electors. And, indeed, that was the mode at first generally practiced by the States. The State Legislature at that time was regarded as the most natural and the legitimate organ of the State. The power to choose presidential electors might properly be conferred upon the people of the State by a general ticket, the voters throughout the State choosing all the electors; or they might be chosen by the people of the State voting in districts, each district choosing one elector. These were methods consonant with the principles of our system of government, and by either of which it could be properly said that the State did, in fact, "appoint" the electors.

It is historically certain that these different modes were in the contemplation of the convention which formed the Constitution. Experiencing some difficulty, however, in imposing this duty upon all the States by any one uniform system, it devolved upon the Legislatures of each State the authority to choose from among these methods, one for the exercise of that power which it granted in declaring that "each State shall appoint."

While the Legislature of a State may provide that presidential electors shall be appointed by an election of the people, it cannot provide that that election shall not be a reality; that it shall be a sham, and that the actual power of determining the choice shall be invested in a packed committee, whether it be called a "returning board," or by any other name.

Neither can it invest a board of canvassers with indefinite or with arbitrary powers, nor with any authority which, by the principles and practice of our jurisprudence, and the policy of our elective system are not fairly incident to the function of ascertaining the vote of the people. This seems to me to be the obvious, the wise interpretation of the Constitution of the United States and of its laws. Any other doctrine will open the way to abuses, frauds and usurpations, which must end in destroying popular elections. The moment we depart from a strict construction of grants of power in derogation of the integrity and efficiency of the elective system, we shall be able to find no rule that will protect the rights of the people. We shall tempt transient majorities to seek to prolong their power by tampering with the machinery of elections, and the easiest, most convenient and most effectual method for such a purpose is by the contrivance of returning boards, which shall be packed and equipped with powers hitherto unknown to our laws and practically subversive of the will of the people.

In the particular case of Louisiana, other equally grave illegalities are



believed to exist. The powers vested in the returning board are inconsistent with the provision in the Constitution of that State which guarantees the elective franchise to voters, and also with the provision which confers the judicial power upon the courts. It is probable that the powers of this board, by the law of Louisiana, do not apply to presidential electors; that the board itself was not constituted in accordance with the law under which it was created; and finally, that a condition, without which the returning board could not get jurisdiction in the cases where it assumed to reject votes of whole districts, was not complied with. There is every reason to believe that the authority exercised by that returning board is void, as repugnant to the Constitution of the United States, and also to the Constitution and laws of Louisiana.

In this state of the law, that returning board, according to public statements of conceded facts, by manipulations of the returns, have changed a majority for one set of presidential electors of about 9,000 to a majority for another set of about 4,000, which would be equivalent to a change of over 80,000 votes in the State of New York.

In Florida we have seen a board of State canvassers, solemnly adjudged by the highest court in the State to possess none but ministerial powers, assume the authority to reverse the choice of electors as shown on the face of the returns made by the officers who conducted the elections and received the votes; and to do this in open disobedience and contempt of the judicial tribunal having jurisdiction in such matters, and vested with the right of final judgment.

In South Carolina we have seen the board of State canvassers fabricating a canvass in like disobedience and contempt of the Supreme Court having jurisdiction and the right of final judgment; we have seen federal soldiery take possession of the capitol of the State, and a corporal at the door determining who were the elect of the people and who were to be permitted to represent them as legislators. Notwithstanding some of these acts have been disavowed by the federal executive, no mark of disapprobation has been put upon the authors of the outrages; the officer in command goes still unrebuked, and when the returning board were committed to prison for contempt, by the highest court in the State, a judge of the United States District Court is sent down to South Carolina, and, without jurisdiction in the case, grants a writ of *habeas corpus*, and discharges the offenders. These proceedings are the more extraordinary and alarming when we consider that such violations of law and of right have been resorted to to overturn elections, all the officers conducting which, were of the same political party with the candidates in whose favor these acts have been committed; that the elections were held under the surveillance of troops of the United States, without any constitutional warrant for their presence, and that the judicial decisions thus set at naught cannot be suspected of any partisan bias, for they were rendered both in Florida and South Carolina by judges all of whom were of the same political party with the returning board.

These interferences of the military power have been committed in flagrant violation of the Constitution and laws. They were not provoked by domestic violence; they were not invited in the only way that would have made them constitutional, by the Legislature of the State; and they were continued after the election was over and during all the subsequent proceedings of the canvassing board. Their tendency was to overawe the voter under the pretense of keeping the peace, though by measures in themselves unlawful, and to deliver dishonest officials from

the natural sense of responsibility and the natural timidity in regard to the consequences of their acts, which are providential limitations to men's conceptions of the crimes upon which they may venture.

While these things were going on in the South a member of the Cabinet at Washington was acting as chairman of a partisan National Committee, and with the co-operation of some of his colleagues in the Cabinet, counselling and systematically stimulating these desperate measures.

The result which these proceedings seem designed to accomplish cannot be secured without one farther step in the processes of usurpation. The fabrication of electoral votes amounts to nothing unless they can be counted by the tribunal whose constitutional duty it is to verify and authenticate them. That inexorable necessity has given birth to a new device for counting the votes, not only unknown to the Constitution but in conflict with the construction hitherto always accepted, and with the invariable practice and precedents. That device is for the President of the Senate to usurp the power of determining what votes shall be counted and what shall not be counted, and to exercise that power in disregard of the orders of the two houses. It would not be credible that so monstrous a claim as this could be seriously asserted if leading Senators had not publicly avowed it.

Nothing could be more abhorrent to the spirit of our system of government than such a one-man power. The President of the Senate is elected by the Senators, and they in turn are elected by the State legislators. He is, therefore, three removes from the people. If such a power were to have been vested in a single man, a depository would have been chosen not so far removed from popular accountability. But the people of this country will never vest such a power in any one man, however selected. They will never consent to a new construction of the Constitution and laws that bears such fruit. They will stand firmly in the ancient ways, and insist that the electoral votes in this emergency shall be counted as they have always been counted, by the two houses of Congress, and by nobody else. They will look with just suspicion upon the purposes of any who would propose to depart from the precedents which have been hallowed by time, and the uniform practice of the republic from its foundation.

The Constitution of the United States confers upon the President of the Senate no power whatever in respect to the counting of the electoral votes, except "in presence of the Senate and House of Representatives," to "open" all the certificates which may be transmitted by the colleges to the seat of government, directed to him.

The Constitution confers upon the President of the Senate no power to determine the authenticity and validity of an electoral vote, or to interfere in any wise with any such question.

No President of the Senate has ever claimed or exercised such a power at any of the twenty-one presidential elections that have occurred under our Constitution.

The mode of procedure for the counting of electoral votes has been invariably regulated by the two houses of Congress, by concurrent resolution or standing rules adopted before the count. Those resolutions or rules have prescribed every step in the whole process; every function of the tellers and of the President of the Senate, whenever any additional service, even of the most formal sort, has been required of him.

In every instance the counting has been conducted in conformity with

the procedure thus prescribed by the two houses; by servants designated by the two houses under instructions and in the presence of the two houses, and with the entire concurrence and the implicit obedience of every President of the Senate who has participated in these ceremonies.

So often as any question has arisen as to the authenticity or validity of an electoral vote, the two houses have assumed and exercised the exclusive power to act upon and determine that question. They have, in contemplation of law, themselves made every count; they have from the first, assumed exclusive jurisdiction to regulate and govern the whole transaction by temporary concurrent orders adopted for the occasion, by standing joint rules and by the enactment of laws. Such has been the uniform and uninterrupted course of precedents, the invariable practice of the government, and the official exposition of the Constitution which has been deliberately adopted, invariably acted upon, and universally accepted.

No fitter repository of all such powers as are vested in or must of necessity be exercised by the government, can be found than the two houses of Congress. They are not only the general agents of the people under our representative system, but in case of the failure of a choice of President and Vice-President by the electoral colleges, they are expressly charged by the Constitution with the duty of making the election.

The people of the United States will never consent to have their Representatives in Congress stripped of these powers, or tolerate this usurpation by a deputy of the Senate, or by any single person, and still less by an officer who is frequently interested as a candidate in the result of the count.

In this sentiment and purpose the State of New York cordially concurs. Foremost among all our American commonwealths in population, in the variety and extent of her industries and interests, she has in every vicissitude of public affairs put forth all her strength, moral and physical, to maintain the existence and the just authorities of the Union. and she can never consent that the time-consecrated methods of constitutional government shall be supplanted or overthrown by revolutionary expedients.

L. ROBINSON.

Mr. Alvord moved that the message of his Excellency the Governor be laid upon the table and printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Gilbert offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the Clerk be requested to invite the clergymen of the cities of Albany and Troy having parishes, to open the daily sessions of this Assembly with prayer.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Nachtmann offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the message of his Excellency the Governor be translated into German, and that 2,000 copies thereof be printed for the use of this House and 1,000 copies for the use of the Governor.

*Ordered*, That said resolution be referred to the committee on public printing when appointed.

Mr. Alvord presented the memorial of Waters W. Braman contesting

the seat of Edward Curran, and resolution accompanying it; which were read and referred to the committee on privileges and elections, when appointed.

Mr. Gere offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the Clerk be authorized to make the usual contract with the postmaster of the city of Albany and the express companies, for the transmission of papers and documents.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Lang offered for the consideration of the House a resolution, in the words following:

*Resolved* (if the Senate concur), That when this Legislature adjourns on Wednesday, January third, it be to meet on Tuesday morning, January ninth, at eleven o'clock.

Said resolution being concurrent,

*Ordered*, That the same be laid on the table.

Mr. Spinola offered for the consideration of the House a resolution, in the words following:

*Resolved* (if the Senate concur), That section nine of article eight of the Constitution be amended so as to read as follows (by adding to said section the following):

§ 9. The bonded debt of the city and county of New York shall, at all times be kept within the sum of \$150,000,000; and all bonds or stock issued by said city and county which would increase said bonded debt beyond the limit above named shall be void, in both law and equity, and it shall be a felony—and punishable as such—for any person to issue any bonds or stock in the name of said city and county, which would at any time increase said debt beyond the limit above named.

Said resolution being concurrent,

*Ordered*, That the same be laid on the table.

On motion of Mr. Husted, at 1 o'clock and 45 minutes, the House took a recess until 4 o'clock.

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#### FOUR O'CLOCK P. M.

The House again met.

Mr. Post offered for the consideration of the House a resolution, in the words following:

*Resolved*, That in conformity to precedent, and in recognition of long and distinguished services and eminent parliamentary ability and experience in the Assembly of this State, that seats numbers sixty-six and seventy-seven in this Assembly chamber be reserved from the list of seats in this Assembly, and that the seat number sixty-six be granted during this session of the Legislature to the Hon. Thomas G. Alvord, of Onondaga, he having indicated that seat as his first choice; and that seat number seventy-seven be granted to the Hon. James W. Husted, of Westchester, during this session of the Legislature, he having indicated that seat as his first choice.

Mr. Mitchell moved to amend by adding the names of Mr. Bowen and Mr. Spinola.

Mr. Strahan moved to lay said resolution on the table.

Mr. Speaker put the question whether the House would agree to said motion to lay on the table, and it was determined in the affirmative.

Messrs. Fish and Tabor, the committee appointed to examine the ballots to be used in drawing seats, reported that they had examined the same and found them correct.

The members of the Assembly then retired to the cloak-room, and each member, as his name was called, selected his seat as follows:

Name.	No.	Name.	No.	Name.	No.
Alvord.....	66	Gilbert.....	63	Orr.....	98
Backenstose.....	115	Grady.....	44	Peck.....	106
Baker.....	7	J. G. Graham....	76	Piper.....	18
S. Baldwin.....	49	J. S. Graham....	56	Post.....	31
M. L. Baldwin...	45	Gulick.....	80	Potter.....	104
Barnes.....	70	Hamilton.....	108	Proper.....	38
Billings.....	93	Hammond.....	11	Purdy.....	83
Billington.....	73	Hayes.....	78	Rice.....	102
Bissell.....	122	J. Healey.....	121	H. H. Rockwell..	33
Bowen.....	120	M. Healy.....	53	W. L. Rockwell..	90
Bradley.....	17	Hepburn.....	50	Rooney.....	58
Brick.....	94	Herrick.....	34	Ruggles.....	30
Brill.....	25	Herbst.....	112	Sager.....	27
J. H. Brown.....	29	Hodges.....	16	Sanders.....	114
J. S. Brown.....	128	Hogeboom.....	127	Santee.....	48
Bulmer.....	23	Holahan.....	45	Shanley.....	4
Burns.....	110	Humphrey.....	71	Shannon.....	13
E. Case.....	89	Husted.....	77	Sheldon.....	86
G. M. Case.....	35	Keator.....	103	Skillman.....	117
T. A. Case.....	14	King.....	20	Skinner.....	126
Childs.....	84	Lang.....	32	Sliter.....	87
Clapp.....	91	Langbein.....	100	Smith.....	79
Clark.....	12	Langner.....	28	Spicer.....	19
Corbett.....	36	Longyear.....	69	Spinola.....	81
Corsa.....	60	Lyon.....	39	Stein.....	47
Coulter.....	54	Maher.....	5	Stephenson.....	64
Cowdin.....	125	Marvin.....	44	Stone.....	1
Cozans.....	52	Maynard.....	85	Strahan.....	42
Crowley.....	124	McFalls.....	62	Suydam.....	10
Curran.....	37	McGraw.....	72	Tabor.....	123
Davenport.....	3	McGroarty.....	26	Taylor.....	43
Dillmeier.....	2	McKee.....	95	Thistlethwaite...	67
Dimond.....	22	Mitchell.....	82	Tighe.....	24
Durland.....	113	Moller.....	119	Valentine.....	68
Ecclesine.....	55	Moody.....	8	Waddell.....	116
Fay.....	118	Moore.....	105	Webb.....	6
Filkin.....	15	Morey.....	65	Weiant.....	51
Fish.....	61	Nachtmann.....	46	Welsh.....	101
Flecke.....	59	Neilson.....	40	Wemple.....	21
Floyd-Jones.....	109	Niven.....	111	Wickes.....	99
Gallagher.....	97	Noyes.....	92	Williams.....	88
Galvin.....	96	O'Hare.....	57	Winch.....	74
Gere.....	9				

On motion of Mr. Husted, at 6 o'clock and 50 minutes, the House adjourned.

WEDNESDAY, JANUARY 3, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Upson.

The journal of yesterday was read and approved.

On motion of Mr. Hodges, and by unanimous consent, the privileges of the floor were granted to the Hon. Mr. Englehart.

Mr. Speaker presented a communication from the State Board of Regents, in the words following:

UNIVERSITY OF THE STATE OF NEW YORK, }  
OFFICE OF THE REGENTS, }  
ALBANY, January 3, 1877. }

HON. GEORGE B. SLOAN, *Speaker of the Assembly*:

SIR.—I am directed to state for the information of the Assembly, that by the death of Hon. George R. Perkins of Utica, and of Hon. James W. Booth of New York, two vacancies in the Board of Regents are created, to be filled at the pleasure of the Legislature.

Very respectfully,

Your obedient servant.

S. B. WOOLWORTH, *Secretary*.

Mr. Speaker presented a communication from his Excellency the Governor, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }  
ALBANY, January 3, 1877. }

*To the Legislature:*

I have the honor to transmit herewith the annual report of the Adjutant-General.

L. ROBINSON.

Which was laid on the table and ordered printed.

(*See Doc. No. 7.*)

Mr. Speaker presented a communication from the Governor, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }  
ALBANY, January 3, 1877. }

*To the Legislature:*

I transmit herewith to your honorable body the annual pardon report of my predecessor.

L. ROBINSON.

Which was laid on the table and ordered printed.

(*See Doc. No. .*)

Mr. Maynard introduced a bill entitled "An act to amend section 3 of chapter 767 of the Laws of 1872, entitled 'An act to establish the compensation of county judges and pursuant to the fifteenth section of the amended sixth article of the Constitution, passed May 17, 1872,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Gilbert introduced a bill entitled "An act in relation to proof of

testimony taken by official stenographers in courts of record," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Bradley introduced a bill entitled "An act in relation to running ferry boats by the Union Ferry Company of Brooklyn across the East river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Also, a bill entitled "An act for the preservation of life at sea-bathing places," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Also, a bill entitled "An act to provide for religious instruction in prisons," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Nachtmann introduced a bill entitled "An act to repeal chapter 846 of the Laws of 1873, entitled 'An act to suppress intemperance, pauperism and crime,' passed May 29, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Hayes introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the New York Academy of Medicine,' passed June 23, 1851," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Stein introduced a bill entitled "An act for the relief of James R. Davies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Mitchell introduced a bill entitled "An act to regulate the practice of medicine and surgery in the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Mr. Langbien introduced a bill entitled "An act for the relief of Robert G. McCord," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act for the relief of William P. Mitchell," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Flecke introduced a bill entitled "An act to amend chapter 316 of the Laws of 1876, entitled 'An act relative to judgments entered upon forfeited recognizances in the city and county of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Sanders introduced a bill entitled "An act to amend an act entitled 'An act authorizing the city of Schenectady to raise money for school purposes,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Ruggles introduced a bill entitled "An act to extend the powers of county judges when holding courts in other counties than their own," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Baker introduced a bill entitled "An act to legalize the assess-

ment roll of the town of Kingsbury, in the county of Washington, for the year 1876, and the tax levied thereon," which was read the first time, and by unanimous consent was also read the second time, when

On motion of Mr. Baker, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 120 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dillmeier	Keator	H. H. Rockwell
Backenstose	Dimond	King	W. L. Rockwell
Baker	Durland	Lang	Ruggles
S. Baldwin	Ecclesine	Langbein	Sager
Barnes	Fay	Langner	Sanders
Billings	Filkin	Longyear	Santee
Billington	Fish	Lyon	Shanley
Bissell	Flecke	Maher	Shannon
Bowen	Floyd-Jones	Maynard	Sheldon
Bradley	Gallagher	McFalls	Skillman
Brick	Galvin	McGraw	Skinner
Brill	Gere	McGroarty	Sliter
J. H. Brown	Gilbert	McKee	Smith
J. S. Brown	Grady	Mitchell	Spinola
Bulmer	J. G. Graham	Möller	Stein
Burns	J. S. Graham	Moody	Stone
E. Case	Gulick	Moore	Suydam
G. M. Case	Hamilton	Morey	Tabor
T. A. Case	Hammond	Nachtmann	Taylor
Childs	Hayes	Neilson	Thistlethwaite
Clapp	J. Healey	Niven	Tighe
Clark	M. Healy	Noyes	Valentine
Corbett	Hepburn	O'Hare	Waddell
Corsa	Herrick	Orr	Webb
Coulter	Herbst	Piper	Weiant
Cowdin	Hodges	Post	Welsh
Cozans	Hogeboom	Potter	Wemple
Crowley	Holahan	Proper	Wickes
Curran	Humphrey	Purdy	Williams
Davenport	Husted	Rice	Winch

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Also, a bill entitled "An act to establish the compensation of the county judge and the surrogate of Washington county, pursuant to the fifteenth section of the amended sixth article of the Constitution," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to legalize the action of the village of Whitehall, and to change the time for holding the annual meeting," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.



Mr. Langbein presented a petition for the relief of Mrs. Julia Dardonville, widow of Hypolite Dardonville, late lieutenant of Company B, First Regiment, New York Volunteers, during the Mexican war, under act of 1851; which was read and referred to the committee on ways and means.

Mr. Santee presented a petition of residents of Steuben county, in relation to plank and turnpike roads; which was read and referred to the committee on roads and bridges.

By unanimous consent,

Mr. Gulick introduced a bill entitled "An act to create a State board of health for the protection of life and health, and to prevent the spread of diseases in the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Mr. Cowdin offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the committee on affairs of cities, when appointed, be requested to report to this House, by bill or otherwise, what measures, in their judgment, should be adopted, tending to retrenchment and reform in the government of the city of New York.

Said resolution giving rise to debate,

*Ordered*, That the same be laid on the table.

Mr. J. S. Graham offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the Clerk of the House be, and is hereby authorized to alter the railing, and cause to be erected a screen in rear of seats Nos. 55 and 56.

*Ordered*, That said resolution be referred to the committee on expenditures of the House.

Mr. Lang called from the table a resolution previously offered by him in the words following:

*Resolved* (if the Senate concur), That when this Legislature adjourns on Wednesday, January third, it be to meet on Tuesday morning, January ninth, at 11 o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Speaker presented the annual report of the Comptroller of the State; which was laid on the table and ordered printed.

(See Doc. No. 3.)

Mr. Speaker presented the annual report of the Superintendent of Public Instruction; which was laid on the table and ordered printed.

(See Doc. No. 11.)

Mr. Speaker presented the annual financial report of the Auditor of the Canal Department; which was laid on the table and ordered printed.

(See Doc. No. 4.)

On motion of Mr. Husted, at 11 o'clock and 45 minutes, the House took a recess until 12 o'clock.

## TWELVE O'CLOCK.

The House again met.

The Senate returned the concurrent resolution in the words following: *Resolved* (if the Senate concur), That when this House adjourns on Wednesday, January third, it be to meet on Tuesday morning January ninth, at 11 o'clock; with a message informing that they had passed the same, with the following amendment:

Strike out "11 o'clock A. M." and insert "3 o'clock P. M."

Mr. Speaker put the question whether the House would agree to said resolution, as amended, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing of concurrence in their amendment.

On motion of Mr. Husted, at 12 o'clock and 5 minutes, the House adjourned.

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TUESDAY, JANUARY 9, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Magee.

The journal of Wednesday, January 8, was read and approved.

Mr. Speaker presented the annual report of the Auditor of the Canal Department relative to the expenditures on the canals of the State of New York; which was laid on the table and ordered printed.

(See Doc. No. 8.)

Mr. Speaker presented the report of the new Capitol Commission; which was laid on the table and ordered printed.

(See Doc. No. 6.)

Mr. H. H. Rockwell introduced a bill entitled "An act to amend section 63 of the Code of Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Webb introduced a bill entitled "An act to amend an act entitled 'An act regulating the deposit of securities by plate glass insurance companies,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Tighe introduced a bill entitled "An act to amend chapter 439 of the Laws of 1876, entitled 'An act relating to the expenses of judicial sales in the county of Kings,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to authorize the common council of the city of Brooklyn to open, grade, pave and complete Douglass street and Degraw street in said city, from Nevins street to the Gowanus canal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Bradley introduced a bill entitled "An act to provide for the payment by the State of its just share in the cost of the New York bridge,"

which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Also, a bill entitled "An act to enlarge the Ridgewood reservoir of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act in relation to the government of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Marvin introduced a bill entitled "An act to amend chapter 783 of the Laws of 1866, entitled 'An act to protect primary meetings, caucuses and conventions of political parties,' passed April 24, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Suydam introduced a bill entitled "An act to repeal an act entitled 'An act to widen and improve North Second street, in the city of Brooklyn,' passed April 19, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Spinola introduced a bill entitled "An act to provide for the abatement of nuisances by boards of health of incorporated cities," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Langbien introduced a bill entitled "An act to amend chapter 484 of the Laws of 1862, entitled 'An act in relation to the courts in the city and county of New York,' passed April 24, 1862," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Mitchell introduced a bill entitled "An act to regulate the course of proceedings at the trial on a charge of felony after a previous conviction for felony," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Cowdin introduced a bill entitled "An act authorizing the taxation of stockholders of banks, and the surplus funds of savings banks," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Fish introduced a bill entitled "An act to provide for the custody and reformatory treatment of vagrants and disorderly persons," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Balmer introduced a bill entitled "An act to regulate the rate of foot passengers' ferriage on the boats of the East River Ferry Company, plying between East Thirty-fourth street, city of New York, and Hunter's Point, Long Island City," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Lang introduced a bill entitled "An act to amend section 4 of chapter 740 of the Laws of 1865, entitled 'An act to ascertain by proper proofs the citizens who shall be entitled to the right of suffrage,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. McFalls introduced a bill entitled "An act to authorize the elec-

tion of an additional justice of the peace in the town of Rossie, in the county of St. Lawrence," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, a bill entitled "An act to amend chapter 389 of the Laws of 1839, entitled 'An act to preserve the purity of elections,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. H. H. Rockwell presented a petition of the board of supervisors of Chemung county, for the passage of an act to amend the charter of the city of Elmira; which was read and referred to the committee on affairs of cities.

Mr. Noyes presented a petition of the board of supervisors of the county of Saratoga, asking for the repeal of the law establishing a board of town auditors; which was read and referred to the committee on internal affairs.

Mr. Lang presented a petition of citizens of St. Lawrence county, with resolutions of the board of supervisors of said county, requesting inquiry as to the propriety of reducing salaries of public officers; which was read and referred to the committee on internal affairs.

By unanimous consent,

Mr. H. H. Rockwell introduced a bill entitled "An act to amend section 73 of chapter 370 of the Laws of 1876, entitled 'An act to amend and consolidate the several acts relating to the city of Elmira,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committees on affairs of cities.

Mr. Husted moved to take from the table the message of his Excellency the Governor.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Husted, said message was referred to the committee of the whole.

Mr. Fish offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the privileges of the floor be extended to Hon. Emmet O'Neill, a former member of this House.

Mr. Strahan moved to amend by inserting the names of Hons. Mr. West and Mr. Calkins.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution, as amended, and it was determined in the affirmative.

Mr. Alvord offered for the consideration of the House a resolution in the words following:

*Whereas*, The immense amount of mail and express matter sent from the Assembly each day, renders it necessary to have extra assistance for the purpose of taking proper care of the document mail and express matter of the Assembly;

*Resolved*, That Frederick M. Kreidler be and is hereby appointed superintendent of mail and express matter for the present session, and Reuben L. Fox assistant superintendent of mail and express matter for the present session, and that each of them receive the same per diem and mileage compensation now by law authorized and paid to the assistant

postmaster of the Assembly for the session of 1877, and that the said compensation be paid in the same manner that other officers of the House are paid.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 69 }  
{ NOES 10 }

Those who voted in the affirmative, were

Alvord	Ecclesine	Holahan	Post
Backenstose	Filkin	Husted	H. H. Rockwell
Baker	Fish	Keator	Sager
Barnes	Flecke	Lang	Skinner
Billings	Gallagher	Langbein	Speaker
Billington	Galvin	Marvin	Spicer
Bowen	Gere	McFalls	Spinola
Brick	Gilbert	McGraw	Stein
Brill	Grady	McGroarty	Stephenson
J. S. Brown	J. G. Graham	Mitchell	Strahan
Bulmer	Gulick	Moller	Suydam
Clapp	Hammond	Moore	Taylor
Corsa	Hayes	Neilson	Tighe
Coulter	M. Healy	Noyes	Webb
Cowdin	Hepburn	O'Hare	Weiant
Cozans	Hodges	Peck	Welsh
Curran	Hogeboom	Piper	Williams
Dimond			

Those who voted in the negative, were

Bissell	Floyd-Jones	Proper	Sanders
Burns	Hamilton	Purdy	Sliter
Childs	Maher		

Mr. Hogeboom offered for the consideration of the House a resolution, in the words following:

*Whereas*, The last Legislature failed to complete the apportionment of the Senators and Members of Assembly, and said duty passing over to the next, and now resting by provisions of the Constitution, upon the one now assembled, be it

*Resolved*, That a committee of eleven be appointed by the chair, to consider the subject of such apportionment, and to report by bill at any time.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Spinola called from the table the resolution previously offered by him, in the words following:

*Resolved* (if the Senate concur), That section 9 of article 8 of the Constitution be amended so as to read as follows (by adding to said section the following):

§ 9. The bonded debt of the city and county of New York shall, at all times, be kept within the sum of \$150,000,000; and all bonds or stock issued by said city and county which would increase said bonded debt beyond the limit above named shall be void, in both law and equity, and it shall be a felony—and punishable as such—for any person to issue

any bonds or stock in the name of said city and county, which at any time increases said debt beyond the limit above named.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative.

Leave of absence was granted to Mr. Potter until Thursday next.

Mr. Speaker presented the Annual Report of the New York Institution for the Deaf and Dumb; which was laid on the table and ordered printed.

(See Doc. No. 9.)

Mr. Speaker presented the Annual Report of the Le Couteulx St. Mary's Institution for the Deaf and Dumb; which was laid on the table and ordered printed.

(See Doc. No. 10.)

On motion of Mr. Strahan, at 3 o'clock and 50 minutes the House adjourned.

## WEDNESDAY, JANUARY 10, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Magee.

The journal of yesterday was read and approved.

Mr. Speaker announced the following standing committees:

### *Ways and Means.*

Mr. Husted, Westchester;  
Alvord, Onondaga;  
Hogeboom, Columbia;  
Post, Cayuga;  
Hayes, New York;

Mr. J. G. Graham, Orange;  
Cozans, New York;  
Bradley, Kings;  
Maynard, Delaware.

### *Judiciary.*

Mr. Strahan, New York;  
Hogeboom, Columbia;  
Hepburn, St. Lawrence;  
Gilbert, Franklin;  
Santee, Steuben;

Mr. Langbien, New York;  
Ruggles, Steuben;  
Piper, Niagara;  
H. H. Rockwell, Chemung.

### *Affairs of Cities.*

Mr. Fish, Putnam;  
Smith, Onondaga;  
J. S. Graham, Monroe;  
Cowdin, New York;  
Stephenson, Kings;

Mr. Corsa, New York;  
Mitchell, New York;  
McGroarty, Kings;  
Tabor, Erie.

### *Railroads.*

Mr. Gilbert, Franklin;  
S. Baldwin, Allegany;  
Billings, Orleans;  
Bowen, Clinton;  
Morey, Livingston;

Mr. Fay, Fulton and Hamilton;  
O'Hare, New York;  
Herrick, Albany;  
Moller, Westchester.

*General Laws.*

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|--|--|
| Mr. Hogeboom, Columbia ;<br>Post, Cayuga ;<br>T. A. Case, Chautauqua ;<br>Lang, St. Lawrence ;<br>Backenstose, Ontario ; | Mr. Peck, Oswego ;<br>Davenport, Otsego ;<br>Weiant, Rockland ;<br>Purdy, Westchester. |
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*Canals.*

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|--|---|
| Mr. Baker, Washington ;<br>Gallagher, Erie ;<br>Alvord, Onondaga ;<br>Sheldon, Madison ;<br>G. M. Case, Oswego ; | Mr. Moore, Oneida ;<br>Spinola, New York ;<br>Bissell, Niagara ;<br>Curran, Albany. |
|--|---|

*Commerce and Navigation.*

- |   |   |
|---|---|
| Mr. Webb, Dutchess ;<br>Hayes, New York ;<br>Gere, Tioga ;<br>Suydam, Kings ;<br>Keator, Ulster ; | Mr. Filkin, Renaselaer ;<br>Stein, New York ;<br>Shanley, Kings ;<br>Brick, Richmond. |
|---|---|

*Insurance.*

- |   |  |
|---|--|
| Mr. J. G. Graham, Orange ;<br>Cowdin, New York ;<br>Husted, Westchester ;<br>Lang, St. Lawrence ;<br>Skinner, Jefferson ; | Mr. Moody, Broome ;<br>Weiant, Rockland ;<br>Coulter, New York ;<br>Floyd-Jones, Queens. |
|---|--|

*Banks.*

- |  |  |
|--|--|
| Mr. McKee, Herkimer ;<br>S. Baldwin, Allegany ;<br>Cowdin, New York ;<br>E. Case, Oneida ;<br>Clapp, Essex ; | Mr. M. L. Baldwin, Yates ;<br>Galvin, New York ;<br>Childs, Seneca ;<br>Rice, Lewis. |
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*Internal Affairs.*

- |  |  |
|--|--|
| Mr. Bowen, Clinton ;<br>Hammond, Dutchess ;<br>Hodges, Monroe ;<br>Spicer, Jefferson ;<br>McGraw, Cortland ; | Mr. Valentine, Wayne ;<br>Nachtman, New York ;<br>Langner, Erie ;<br>W. L. Rockwell, Monroe. |
|--|--|

*Affairs of Villages.*

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|---|--|
| Mr. Noyes, Saratoga ;<br>T. A. Case, Chautauqua ;<br>Billington, Madison ;<br>Skillman, Chenango ;<br>Welsh, Delaware ; | Mr. Barnes, Otsego ;<br>Wemple, Montgomery ;<br>Durland, Orange ;<br>Bulmer, Queens. |
|---|--|

*Roads and Bridges.*

- |  |   |
|--|---|
| Mr. Gallagher, Erie ;<br>Billings, Orleans ;<br>Waddell, Warren ;<br>Potter, Washington ;<br>Corbett, Oneida ; | Mr. Williams, Chautauqua ;<br>Galvin, New York ;<br>Proper, Columbia ;<br>Humphrey, Greene. |
|--|---|

*Public Printing.*

- |                          |                       |
|--------------------------|-----------------------|
| Mr. Skinner, Jefferson ; | Mr. Moore, Oneida ;   |
| Suydam, Kings ;          | Holahan, New York ;   |
| Clark, Wyoming ;         | Neilson, Saratoga ;   |
| Marvin, Kings ;          | Sanders, Schenectady. |
| Clapp, Essex ;           |                       |

*Public Health.*

- |                             |                           |
|-----------------------------|---------------------------|
| Mr. McFalls, St. Lawrence ; | Mr. Billington, Madison ; |
| Gulick, Schnyler ;          | Langner, Erie ;           |
| Hammond, Dutchess ;         | Grady, New York ;         |
| Stephenson, Kings ;         | Longyear, Ulster.         |
| King, Cattaraugus ;         |                           |

*Charitable and Religious Societies.*

- |                             |                      |
|-----------------------------|----------------------|
| Mr. Hepburn, St. Lawrence ; | Mr. Keator, Ulster ; |
| McKee, Herkimer ;           | Lyon, Kings ;        |
| Backenstose, Ontario ;      | Hamilton, Ulster ;   |
| Marvin, Kings ;             | Maher, Albany.       |
| Wickes, Tompkins ;          |                      |

*Public Education.*

- |                       |                      |
|-----------------------|----------------------|
| Mr. Smith, Onondaga ; | Mr. Winch, Ontario ; |
| Hodges, Monroe ;      | Lyon, Kings ;        |
| Orr, Erie ;           | O'Hare, New York ;   |
| Taylor, Genesee ;     | Ecclesine, New York. |
| Peck, Oswego ;        |                      |

*Militia.*

- |                        |                          |
|------------------------|--------------------------|
| Mr. Gere, Tioga ;      | Mr. Welsh, Delaware ;    |
| Shannon, Cattaraugus ; | Spinola, New York ;      |
| Clark, Wyoming ;       | J. H. Brown, Schoharie ; |
| Waddell, Warren ;      | Flecke, New York.        |
| Herbst, Onondaga ;     |                          |

*Claims.*

- |                            |                             |
|----------------------------|-----------------------------|
| Mr. Shannon, Cattaraugus ; | Mr. Thistlethwaite, Wayne ; |
| Gulick, Schnyler ;         | Dillmeier, Kings ;          |
| J. S. Brown, Cayuga ;      | M. Healy, New York ;        |
| E. Case, Oneida ;          | Crowley, Erie.              |
| M. L. Baldwin, Yates ;     |                             |

*Federal Relations.*

- |                          |                       |
|--------------------------|-----------------------|
| Mr. Lang, St. Lawrence ; | Mr. Corsa, New York ; |
| Baker, Washington ;      | J. Healey, New York ; |
| Fish, Putnam ;           | Hamilton, Ulster ;    |
| Gilbert, Franklin ;      | Grady, New York.      |
| G. M. Case, Oswego ;     |                       |

*Privileges and Elections.*

- |                         |                         |
|-------------------------|-------------------------|
| Mr. Morey, Livingston ; | Mr. Barnes, Otsego ;    |
| Husted, Westchester ;   | Cozans, New York ;      |
| Strahan, New York ;     | W. L. Rockwell, Monroe. |
| Backenstose, Ontario ;  |                         |



*Civil Divisions.*

- |                        |                          |
|------------------------|--------------------------|
| Mr. Waddell, Warren ;  | Mr. Skillman, Chenango ; |
| J. G. Graham, Orange ; | Purdy, Westchester ;     |
| Sheldon, Madison ;     | Tighe, Kings.            |
| Skinner, Jefferson ;   |                          |

*Game Laws.*

- |                           |                     |
|---------------------------|---------------------|
| Mr. J. S. Brown, Cayuga ; | Mr. Orr, Erie ;     |
| Shannon, Cattaraugus ;    | Childs, Seneca ;    |
| Webb, Dutchess ;          | Sliter, Rensselaer. |
| Gilbert, Franklin ;       |                     |

*Expenditures of the Executive Department.*

- |                         |                     |
|-------------------------|---------------------|
| Mr. Hammond, Dutchess ; | Mr. Moore, Oneida ; |
| Fish, Putnam ;          | Maher, Albany ;     |
| Gulick, Schuyler ;      | Coulter, New York.  |
| Smith, Onondaga ;       |                     |

*Trade and Manufactures.*

- |                            |                          |
|----------------------------|--------------------------|
| Mr. Corbett, Oneida ;      | Mr. Filkin, Rensselaer ; |
| Noyes, Saratoga ;          | J. Healey, New York ;    |
| Bowen, Clinton ;           | Dimond, New York.        |
| Fay, Fulton and Hamilton ; |                          |

*Manufacture of Salt.*

- |                      |                             |
|----------------------|-----------------------------|
| Mr. Hodges, Monroe ; | Mr. Thistlethwaite, Wayne ; |
| Herbst, Onondaga ;   | J. H. Brown, Schoharie ;    |
| Spicer, Jefferson ;  | Bulmer, Queens.             |
| Taylor, Genesee ;    |                             |

*Grievances.*

- |                          |                      |
|--------------------------|----------------------|
| Mr. Potter, Washington ; | Mr. Winch, Ontario ; |
| Hepburn, St. Lawrence ;  | Bissell, Niagara ;   |
| Hammond, Dutchess ;      | Crowley, Erie.       |
| T. A. Case, Chautauqua ; |                      |

*Expenditures of the House.*

- |                         |                         |
|-------------------------|-------------------------|
| Mr. Billings, Orleans ; | Mr. King, Cattaraugus ; |
| McKee, Herkimer ;       | Tighe, Kings ;          |
| S. Baldwin, Allegany ;  | Sager, Albany.          |
| Taylor, Genesee ;       |                         |

*Two-thirds and three-fifths Bills.*

- |                        |                       |
|------------------------|-----------------------|
| Mr. Santee, Steuben ;  | Mr. E. Case, Oneida ; |
| Baker, Washington ;    | Mitchell, New York ;  |
| M. L. Baldwin, Yates ; | Bradley, Kings.       |
| Sheldon, Madison ;     |                       |

*Engrossed Bills.*

- |                       |                           |
|-----------------------|---------------------------|
| Mr. Welsh, Delaware ; | Mr. Billington, Madison ; |
| Barnes, Otsego ;      | Ecclesine, New York ;     |
| G. M. Case, Oswego ;  | Curran, Albany.           |
| Wickes, Tompkins ;    |                           |

*Public Lands.*

- |                              |                      |
|------------------------------|----------------------|
| Mr. T. A. Case, Chautauqua ; | Mr. Winch, Ontario ; |
| Waddell, Warren ;            | Rooney, New York ;   |
| Noyes, Saratoga ;            | Burna, Rensselaer.   |
| Valentine, Wayne ;           |                      |

*Agriculture.*

Mr. Suydam, Kings ;  
 Wickes, Tompkins ;  
 Valentine, Wayne ;  
 Peck, Oswego ;

Mr. Thistlethwaite, Wayne ;  
 Brill, Suffolk ;  
 Sliter, Rensselaer.

*Indian Affairs.*

Mr. Herbst, Onondaga ;  
 Morey, Livingston ;  
 McFalls, St. Lawrence ;  
 Webb, Dutchess ;

Mr. King, Cattaraugus ;  
 Ruggles, Steuben ;  
 Durland, Orange.

*Petitions of Aliens.*

Mr. Clark, Wyoming ;  
 Santee, Steuben ;  
 Potter, Washington ;  
 Spicer, Jefferson ;

Mr. Skillman, Chenango ;  
 Tabor, Erie ;  
 Stone, Oneida.

*State Prisons.*

Mr. Post, Cayuga ;  
 S. Baldwin, Allegany ;  
 Williams, Chautauqua,  
 Moody, Broome ;

Mr. McGraw, Cortland ;  
 Piper, Niagara ;  
 Niven, Sullivan.

*State Charitable Institutions.*

Mr. Hayes, New York ;  
 Herbst, Onondaga ;  
 McFalls, St. Lawrence ;  
 Williams, Chautauqua ;

Mr. Orr, Erie ;  
 Floyd-Jones, Queens ;  
 Flecke, New York.

*Rules.*

Mr. Alvord, Onondaga ;  
 Husted, Westchester ;  
 Hogeboom, Columbia ;

Mr. Nachtmann, New York ;  
 Spinola, New York.

*Joint Library.*

Mr. Fay, Fulton and Hamilton ;  
 J. S. Brown, Cayuga ;  
 Webb, Dutchess ;

Mr. Wemple, Montgomery ;  
 Herrick, Albany.

*Apportionment.*

Mr. Alvord, Onondaga ;  
 Hogeboom, Columbia ;  
 Fish, Putnam ;  
 Gallagher, Erie ;  
 Shannon, Cattaraugus ;  
 Marvin, Kings ;

Mr. Moody, Broome ;  
 Rooney, New York ;  
 Maynard, Delaware ;  
 Moller, Westchester ;  
 Brill, Suffolk.

*Sub-Committee of the Whole.*

Mr. J. S. Graham, Monroe ;  
 Langbein, New York ;  
 Holahan, New York ;  
 McGroarty, Kings ;  
 Humphrey, Greene ;  
 Keator, Ulster ;  
 Stephenson, Kings ;  
 Potter, Washington ;

Mr. Sanders, Schenectady ;  
 Rice, Lewis ;  
 Stone, Oneida ;  
 Gere, Tioga ;  
 Davenport, Otsego ;  
 J. S. Brown, Cayuga ;  
 Gallagher, Erie ;  
 Clark, Wyoming.

Mr. Alvord arose to a question of privilege, and asked to be excused from serving as chairman of the apportionment committee.

Mr. Speaker put the question whether the House would grant said request, and it was determined in the negative.

Mr. J. S. Brown arose to a question of privilege and asked to be excused from serving on the committee on game laws.

Mr. Speaker put the question whether the House would grant said request, and it was determined in the affirmative.

Mr. Speaker announced the following appointments:

Assistant Sergeant-at-Arms—Morgan H. Chrysler.

Postmaster—Thomas A. Murphy.

Assistant Postmaster—Isaac Bell.

Superintendent of Documents—DeWitt C. Griffin.

Janitor—Robert H. Weir.

Assistant Janitor—John W. Wheeler.

Mail Carrier—Joel B. Lindsley.

Speaker's Messenger—Richard B. Meredith.

Assistant Doorkeepers—John W. Mullens, Edwin S. Kellogg, Stephen A. Smith, Moses J. Wallace, James Johnson, Charles A. Vandecar, Henry Wheeler, Richard S. Stout.

General Messengers—David H. Luby, John T. Stewart, Edwin C. Wickes, Herman Weibezahl, Wallace R. Hallenbeck, S. Willard Pearson.

Pages—To commence service January eleventh, and continue till March 1st, 1877—Warren L. Gates, Nelson W. Chamberlain, Henry Vincent, Nathan Livingston, Arthur Muddle, William Owens, Charles H. Curtis, Daniel W. Elliott, Michael Mahoney, Thomas McKee, Gilbert Schwarzman, Jacob Fish, George Loveday, Walter D. Erwin, Leonard H. Wager, Anson A. Dolen, Edward H. Cole, Fred. H. McCloy, William Patrick, Henry Webb.

Pages—To commence service March 1, 1877, and continue till the end of the session—Thomas Flynn, Henry Suydam, Isaac Le Grange, George Richardson, Alfred Wright, John W. Stackhouse, George Sutliff, Ira Beaver, Frank Getty, Frank Hull, Charles McManus, William Boze, Edward Henzel, John Campbell, Thomas F. Maxwell, Howard F. Bailey, Israel K. Graham, Earl Degan, Henry Van Benthuyssen, Wm. L. Case.

Messenger to Committee on Engrossed Bills—John G. Blampied.

Mr. Speaker announced the following appointments of the Clerk:

Assistant Clerk—Samuel P. Allen.

Journal Clerk—Wm. H. Barker.

Deputy Clerks—John W. Vrooman, Henry E. Abell, John W. Kieran, Lorenzo R. Locke, Alexander D. Dunbar, Theodore Z. Root, John G. Hosmer, John S. Kenyon, Joseph Forbes.

Librarian—Moses Rich.

Assistant Librarian—James D. Lasher.

Bank Messenger—James H. Manville.

Messengers—Ernest S. Ames, Samuel W. Clark, Charles L. Keyes, Edward A. Spaulding.

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows:

"An act to legalize the assessment rolls of the town of Kingsbury, in the county of Washington, for the year 1876, and the tax levied thereon."

*Ordered*, That the Clerk deliver said bill to the Governor.

Mr. Webb introduced a bill entitled "An act to further amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the

several acts relating to the preservation of moose, wild deer, birds and fish,' passed April 26, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Mr. McGroarty introduced a bill entitled "An act to amend an act to amend the charter of the city of Brooklyn and the various amendments thereof, passed June 28, 1873, which act was amended by chapter 589 of the Laws of 1874, and chapter 633 of the Laws of 1875, and to further amend the charter of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

On motion of Mr. McGroarty, and by unanimous consent, said bill was ordered printed.

Mr. Lyon introduced a bill entitled "An act to amend an act entitled 'An act authorizing the organization of rural cemetery associations,' passed April 27, 1847," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Also, a bill entitled "An act to provide for a ferry landing in the Fourteenth ward of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

On motion of Mr. Lyon, and by unanimous consent, said bill was ordered printed.

Mr. Marvin introduced a bill entitled "An act to repeal chapter 330 of the Laws of 1846, entitled 'An act to amend an act to incorporate the trustees and associates of the Brooklyn Benevolent Society,' passed May 13, 1846," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Bradley introduced a bill entitled "An act to amend chapter 945 of the Laws of 1867, entitled 'An act to regulate the use of certain slips, piers and wharves in the East river, in the city of New York,' passed May 23, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Sheldon introduced a bill entitled "An act further to amend section 135 of chapter 379 of the Laws of 1848, entitled 'An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Sheldon introduced a bill entitled "An act to facilitate the collection of school district taxes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Brady introduced a bill entitled "An act to amend chapter 448 of the Laws of 1876, entitled 'An act relating to courts, officers of justice and civil proceedings,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Langbien introduced a bill entitled "An act to provide for the revision of the laws relative to the administration of justice in the district courts of the city of New York," which was read the first time

and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act in relation to the streets and avenues upon and bordering Morningside park in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Galvin introduced a bill entitled "An act for the relief of Bernard C. Ryan," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Smith introduced a bill entitled "An act to amend an act entitled 'An act in relation to the Syracuse City Water-works Company,' passed March 31, 1864," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Sanders introduced a bill entitled "An act to enable the town of Duanesburgh, Schenectady county, to issue bonds to pay debts incurred under the provisions of chapter 64, Laws of 1856, and chapter 401, Laws of 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Neilson introduced a bill entitled "An act enabling females to vote in incorporated villages in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Floyd-Jones introduced a bill entitled "An act to preserve the purity of elections," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Bowen presented the petitions of boards of supervisors of Clinton and Saratoga counties, for repeal of act creating board of town auditors; which were read and referred to the committee on internal affairs.

Mr. Nielson presented the petitions of boards of supervisors of Clinton and Saratoga counties, for repeal of act creating board of town auditors; which were read and referred to the committee on internal affairs.

Mr. Baker presented a petition of citizens of Washington county for reduction of the salaries of county judge and surrogate; which was read and referred to the committee on the judiciary.

Mr. Santee presented a petition of residents of Steuben county in relation to plank-roads; which was read and referred to the committee on roads and bridges.

Mr. Hayes introduced a bill entitled "An act to provide for the correction and equalization of taxes and assessments," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Alvord offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the committee on apportionment be entitled to a clerk and messenger.

*Ordered*, That said resolution be referred to the committee on expenditures of the House.

Mr. Smith offered for the consideration of the House a resolution, in the words following:

*Whereas*, Notification has been received from the secretary of the Board of Regents of the State of New York, that vacancies have occurred in said board, by reason of the decease of James W. Booth and George R. Perkins; therefore,

*Resolved* (if the Senate concur), That the Legislature meet in joint session on Wednesday, the 31st day of January instant, at 12 o'clock noon, for the purpose of electing Regents of the University, in place of James W. Booth and George R. Perkins, deceased.

Said resolution being concurrent,

*Ordered*, That the same be laid on the table.

Mr. Maynard offered for the consideration of the House a resolution, in the words following:

*Resolved* (if the Senate concur), That section 6 of article 3 of the Constitution, be amended so as to read as follows:

§ 6. Each member of the Legislature shall receive for his services an annual salary of one thousand dollars. The members of either House shall also receive the sum of one dollar for every ten miles they shall travel, in going to and returning from their place of meeting once in each session on the most usual route. Senators, when the Senate alone is convened in extraordinary session, or when serving as members of the court for the trial of impeachments, and such members of the Assembly, not exceeding nine in number, as shall be appointed managers of an impeachment, shall receive an additional allowance of ten dollars a day.

Said resolution being concurrent,

*Ordered*, That the same be laid on the table.

Mr. Hayes offered for the consideration of the House a resolution, in the words following:

*Whereas*, The labors of the superintendent of documents comprise the indexing of more than 3,000 different numbers of bills and documents, together with the labeling and filing away of the same, in addition to the discharge of his duties in answering the incessant calls made upon him by members of the House for copies and information, requiring his constant attendance from morning until night, together with the great labor attending the receiving and distributing of books and the preparation of documents for the files, as well as the superintending the folding department, rendering it necessary, as well for the convenience of the members as for the economical interests of the State, that an assistant should be employed in the document department; therefore,

*Resolved*, That Chas. B. Ingram be and is hereby appointed assistant superintendent of documents, and that such appointment shall continue during the session of 1877, and that he shall be allowed the same compensation and paid in the same manner as the assistant sergeant-at-arms, such payment to continue from January 12.

*Ordered*, That said resolution be referred to the committee on expenditures of the House.

Mr. Suydam offered for the consideration of the House a resolution, in the words following:

*Whereas*, The sergeant-at-arms requires additional assistance in the wrapping department; therefore,

*Resolved*, That Clinton L. Baxter be and is hereby appointed superintendent of the wrapping department, and that he shall receive the same compensation as the superintendent of documents, and be paid in the same manner, and for the same time.

*Ordered*, That said resolution be referred to the committee on expenditures of the House.

Mr. Ecclesine offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the district attorney of the city and county of New

York be directed to certify to this House the list of indictments on which arrests have been made and which are still untried, with a brief statement of the reasons why said indictments have not been brought to trial.

Said resolution giving rise to debate,

*Ordered*, That the same be laid on the table.

Mr. Speaker presented the annual report of the New York Institution for the Blind; which was laid on the table and ordered printed.

(*See Doc. No. .*)

Mr. Speaker presented a communication from his excellency the Governor transmitting report of the Acting Captain of the Port of New York and of his predecessor; which was laid on the table and ordered printed.

(*See Doc. No. 13.*)

Mr. Speaker presented a communication from his excellency the Governor, in the words following :

STATE OF NEW YORK — EXECUTIVE CHAMBER, }  
ALBANY, January 9, 1877. }

HON. GEORGE B. SLOAN, *Speaker of the Assembly* :

DEAR SIR. — I have received from the Secretary of State a communication from which the following is an extract :

"I wish to call your attention to the very imperfect condition in which the bills from the Legislature frequently come to this office. They are not only often carelessly written and punctuated, but erasures are freely made by the engrossing clerk, which are calculated not only to throw serious doubt upon their authenticity, but bring all through whose hands they pass in all time to come under the possible suspicion of tampering with them."

The Secretary of State also caused several specimens of the alterations referred to, to be exhibited to me. The great impropriety of them is apparent. There is nothing to show when or by whom they were made. The probability is that they were made by the engrossing clerks for the purpose of saving themselves the labor of engrossing the bills anew. However this may be, I think it my duty to call the attention of the presiding officers of the Senate and Assembly to the matter, and to say that I shall feel constrained to disapprove any bill in which such alterations appear.

I am, with great respect,

Yours, etc.,

L. ROBINSON.

*Ordered*, That said communication be referred to the committee on engrossed bills.

Leave of absence was granted to Mr. Rooney until next week.

By unanimous consent,

Mr. Husted introduced a bill entitled "An act to provide for the completion of the census or enumeration of the inhabitants of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Speaker presented the report of the German American Bank of New York; which was laid on the table and ordered printed.

(*See Doc. No. 12.*)

On motion of Mr. Fish, at 11 o'clock and 50 minutes, the House adjourned.

## THURSDAY, JANUARY 11, 1877.

The House met pursuant to adjournment.

Prayer by the Rev. J. McC. Blaney.

The journal of yesterday was read and approved.

Mr. Moody introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the city of Binghamton,' passed April 9, 1867, and the acts amendatory of the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Hammond introduced a bill entitled "An act to suppress the selling of pools and use of mutual pool machines, or other device or apparatus, for the purpose of betting upon the result of elections," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Tabor introduced a bill entitled "An act to establish the Buffalo Justices' Court," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Mr. Gilbert introduced a bill entitled "An act to repeal certain acts and parts of acts," accompanied by a report, which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Marvin introduced a bill entitled "An act in relation to the Inebriate Home for Kings county, and for the better government thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. O'Hare introduced a bill entitled "An act relative to attorneys and counselors at law in the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to amend chapter 836 of the Laws of 1872, entitled 'An act to regulate places of public amusement in the city of New York,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Langbein introduced a bill entitled "An act for the relief of Michael Cregan," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Strahan introduced a bill entitled "An act for the relief of Henry G. Leask," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Cowdin introduced a bill entitled "An act to secure greater economy in the government of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the affairs of cities.



On motion of Mr. Cowdin, and by unanimous consent, said bill was ordered printed.

Mr. Alvord introduced a bill entitled "An act making an appropriation for the expenses and compensation of certain commissioners and their employes appointed under chapter 382 of the Laws of 1876," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. J. G. Graham introduced a bill entitled "An act to amend an act to secure to creditors a just division of the estates of debtors who convey to assignees for the benefit of creditors, passed April 13, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Floyd-Jones introduced a bill entitled "An act to extend the time for the collection of taxes in the towns of North Hempstead and Oyster Bay, in the county of Queens," which was read the first time, and by unanimous consent was also read the second time, when

On motion of Mr. Floyd-Jones, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 103 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dillmeier	Longyear	Santee
Backenstose	Dimond	Lyon	Shanley
Baker	Ecclesiae	Maher	Shannon
S. Baldwin	Fay	Marvin	Sheldon
M. L. Baldwin	Fish	McFalls	Skillman
Barnes	Floyd-Jones	McGraw	Skiinner
Billings	Gallagher	McGroarty	Sliter
Billington	Gere	McKee	Spicer
Bissell	Gilbert	Moller	Spinola
Bradley	Grady	Moody	Stein
Brick	J. S. Graham	Moore	Stephenson
Brill	Gulick	Nachtmann	Stone
J. S. Brown	Hamilton	O'Hare	Strahan
Bulmer	Hammoud	Orr	Suydam
E. Case	Hayes	Peck	Taylor
G. M. Case	Herrick	Piper	Thistlethwaite
T. A. Case	Herbst	Post	Tighe
Clapp	Hodges	Potter	Valentine
Clark	Holahan	Proper	Waddell
Corbett	Humphrey	Purdy	Webb
Corsa	Husted	Rice	Weiant
Cowdin	Keator	H. H. Rockwell	Welsh
Cozans	King	W. L. Rockwell	Wemple
Crowley	Lang	Ruggles	Wickes
Curran	Langbein	Sager	Williams
Davenport	Langner	Sanders	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Brick introduced a bill entitled "An act to amend an act entitled 'An act to establish a police force in the county of Richmond,' passed April 28, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Weiant introduced a bill entitled "An act to enforce the payment of unpaid taxes, and to authorize the sale of lands for non-payment of the same, in the county of Rockland," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Sanders introduced a bill entitled "An act to amend chapter 613 of the Laws of 1875, entitled 'An act to authorize the formation of corporations for the safe keeping and guarantying of personal property,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Childs introduced a bill entitled "An act in relation to county treasurers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Ruggles introduced a bill entitled "An act to facilitate the construction of narrow gauge railroads, and to amend chapter 560 of the Laws of 1871, entitled 'An act to amend an act entitled 'An act to authorize the formation of railroad corporations and regulate the same,' passed April 19, 1871,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

On motion of Mr. Webb, and by unanimous consent, the bill entitled "An act to further amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish, passed April 26, 1870,'" was ordered printed.

Mr. Hayes introduced a bill entitled "An act to provide public lodging houses in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Lang, Int. No. 28, entitled "An act to amend section 4, chap. 740 of the Laws of 1865, entitled 'An act to ascertain by proper proofs the citizens who shall be entitled to the right of suffrage,'" reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Tabor introduced a bill entitled "An act to amend an act entitled 'An act authorizing the election of a police justice in the village of Tonawanda,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Cowdin offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the bill introduced on the third instant, entitled "An act authorizing the taxation of stockholders of banks and the surplus funds of savings banks," be printed.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Hayes offered for the consideration of the House a resolution, in the words following :

*Resolved*, That the clerk of the Assembly be empowered and directed to inquire as to the procuring of a suitable building for committee rooms, and report the expense thereof to the ways and means committee.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Grady offered for the consideration of the House a resolution, in the words following :

*Resolved*, That the committee on general laws be directed to report to this Assembly, within thirty days after the adoption of this resolution, a just and equitable general law, for the regulation of the sale of spirituous and fermented liquors.

Said resolution giving rise to debate,

*Ordered*, That the same be laid on the table.

Mr. Webb offered for the consideration of the House a resolution, in the words following :

*Whereas*, It is necessary for the convenience of the members of this House, that the sergeant-at-arms should have assistance in the document department ; therefore,

*Resolved*, That Ezra L. Morehouse be and he hereby is appointed assistant superintendent of documents, and that he receive the same per diem and mileage compensation now by law authorized and paid to the superintendent of documents, and that said compensation be paid for the same time and in the same manner that other officers of the House are paid.

*Ordered*, That said resolution be referred to the committee on expenditures of the House.

Mr. Williams offered for the consideration of the House a resolution, in the words following :

*Whereas*, The postmaster should have additional assistance to take proper care of the mailing and express department ; therefore,

*Resolved*, That W. S. Gleason be and he is hereby appointed assistant superintendent of the mailing and express department during the present session, at a compensation of five dollars per day without mileage, salary to commence from day of appointment.

*Ordered*, That said resolution be referred to the committee on expenditures of the House.

Mr. Hepburn offered for the consideration of the House a resolution, in the words following :

*Whereas*, The sergeant-at-arms should have additional assistance to take proper and present care of the wrapping department ; therefore,

*Resolved*, That E. Parmelee, Jr., be and he is hereby appointed assistant superintendent of the documents of the Assembly during the present session, at a compensation the same as that of a committee clerk.

*Ordered*, That said resolution be referred to the committee on expenditures of the House.

Mr. Alvord presented the report of the Trustees of the New York Asylum for Idiots ; which was laid on the table and ordered printed.

(See Doc. No. 16.)

Mr. Speaker presented the report of the Inspectors of State Prisons ; which was laid on the table and ordered printed.

(See Doc. No. 14.)

Mr. Speaker presented the annual report of the Superintendent of the Banking Department; which was laid on the table and ordered printed.  
(See Doc. No. 5.)

Mr. Speaker presented a report of managers of Hudson River State Hospital for Insane; which was laid on the table and ordered printed.  
(See Doc. No. 17.)

Mr. Speaker presented a report of managers of the State Reformatory for 1876; which was laid on the table and ordered printed.  
(See Doc. No. 15.)

Mr. Speaker administered the oath of office to the following officers of the House:

Reuben L. Fox, assistant superintendent of mail and express; Morgan H. Chrysler, assistant sergeant-at-arms; Thomas A. Murphy, postmaster; Robert H. Weir, janitor; John W. Wheeler, assistant janitor; Joel B. Lindsley, mail carrier; John W. Mullins, Edwin S. Kellogg, Stephen A. Smith, Charles A. Vandecar, Henry Wheeler, Richard S. Stout, assistant doorkeepers.

On motion of Mr. Strahan, at 11 o'clock and 40 minutes, the House adjourned.

## FRIDAY, JANUARY 12, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Bridgman.

The journal of yesterday was read and approved.

Indefinite leave of absence was granted to Mr. Strahan.

Mr. H. H. Rockwell presented the annual report of the Superintendent of Construction of the New York State Reformatory at Elmira; which was laid on the table and ordered printed.  
(See Doc. No. 19.)

Also, the supplemental report of Commissioners of the New York State Reformatory at Elmira; which was laid on the table and ordered printed.

(See Doc. No. 18.)

Mr. S. Baldwin introduced a bill entitled "An act for the relief of the village of Wellsville, in the town of Wellsville, Allegany county, and to confirm the acts of the assessors of said village for the year 1876, and to enable the village to collect the remainder of the tax assessed for 1876 still unpaid," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Skinner introduced a bill entitled "An act to amend an act entitled 'An act to amend the charter of the Watertown Fire Insurance Company, of Watertown, New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Marvin introduced a bill entitled "An act to amend the charter of the Arctic Fire Insurance Company of New York," which was read

the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Hodges introduced a bill entitled "An act to amend an act passed May 17, 1875, entitled 'An act supplementary to an act entitled An act to provide for the incorporation of religious societies, passed April 5, 1813, and of the several acts amendatory thereof,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Also, a bill entitled "An act to provide for the incorporation of a mutual fire insurance company in the county of Monroe, and defining its powers and duties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Hayes introduced a bill entitled "An act to amend an act entitled 'An act changing the name of the Beach Pneumatic Transit Company to the Broadway Underground Railway Company, and extending its powers,' passed May 20, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Brick introduced a bill entitled "An act to extend the time for the collection of taxes in the village of Edgewater, and for advertising the sale of lands for unpaid taxes in said village," which was read the first time, and by unanimous consent was also read the second time, when

On motion of Mr. Brick, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 99 {  
} NOES 00 {

Those who voted in the affirmative, were

Alvord	Curran	Langner	Ruggles
Baker	Davenport	Longyear	Sager
S. Baldwin	Dillmeier	Lyon	Sanders
M. L. Baldwin	Dimond	Maher	Santee
Barnes	Ecclesine	Marvin	Shannon
Billings	Fish	McFalls	Sheldon
Billington	Flecke	McGraw	Skillman
Bissell	Floyd-Jones	McKee	Skinner
Bradley	Gallagher	Mitchell	Spicer
Brick	Gere	Moller	Spinola
J. H. Brown	Gilbert	Moody	Stein
J. S. Brown	Grady	Moore	Stephenson
Bulmer	J. S. Graham	Niven	Stone
E. Case	Gulick	Noyes	Suydam
G. M. Case	Hamilton	O'Hare	Tabor
T. A. Case	Hammond	Orr	Taylor
Childs	Hayes	Peck	Thistlethwaite
Clapp	M. Healy	Piper	Tighe
Clark	Herrick	Post	Valentine
Corbett	Hodges	Potter	Webb
Corsa	Holahan	Proper	Welsh

Coulter	Humphrey	Purdy	Wemple
Cowdin	Husted	Rice	Wickes
Cozans	Keator	H. H. Rockwell	Williams
Crowley	Langbein	W. L. Rockwell	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Lang introduced a bill entitled "An act to regulate the execution and transfer of negotiable instruments given for patent rights," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Brill introduced a bill entitled "An act to amend an act providing for appeals from the decisions of county superintendents of the poor, passed February 15, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Baker introduced a bill entitled "An act in relation to the office of Superintendent of Public Works," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Purdy introduced a bill entitled "An act in relation to the Foundling Asylum of the Sisters of Charity in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Also, a bill entitled "An act for the protection in certain cases of persons making disclosures as parties, or testifying as witnesses," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act in relation to the election of additional supervisors in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. J. S. Brown introduced a bill entitled "An act to further amend chapter 721 of the Laws of 1871, entitled "An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish," passed April 26, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Mr. Mitchell introduced a bill entitled "An act to compel the gas companies within the State of New York to report annually to the Comptroller of said State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Mr. Burns introduced a bill entitled "An act to release the interest of the people of the State of New York in certain real estate to Catharine Maginnis," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

Mr. J. H. Brown presented a petition for repeal of chapter 180 of the Laws of 1875, in relation to town auditors; which was read and referred to the committee on internal affairs.

Mr. Baker presented a petition of citizens of Washington county, for reduction of salaries of judge and surrogate; which was read and referred to the committee on the judiciary.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Alvord, Int. No. 65, entitled "An act making an appropriation for the expenses and compensation of certain commissioners and their employes, appointed under chapter 382 of the Laws of 1876," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Husted, Int. No. 55, entitled "An act to provide for the completion of the census," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

(Mr. Alvord dissented.)

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. H. H. Rockwell, Int. No. 33, entitled "An act to amend section 73 of chapter 370, Laws of 1876, entitled 'An act to amend and consolidate the several acts relating to the city of Elmira,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Sanders, Int. No. 9, entitled "An act to amend an act authorizing the city of Schenectady to raise money for school purposes," reported in favor of the passage of the same, with amendments; which report was agreed to, and said bill committed to the committee of the whole.

Mr. Billings, from the committee on expenditures of the House, to which was referred the resolution presented by Mr. Suydam, providing for the appointment of a superintendent of the wrapping department, reported in favor of the adoption of the following resolution:

*Whereas*, The sergeant-at-arms requires additional assistance in the wrapping department; therefore,

*Resolved*, That Clinton L. Baxter be and is hereby appointed superintendent of the wrapping department, and that he shall receive the same compensation as the superintendent of documents, and be paid in the same manner and for the same time.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davehport	Lang	W. L. Rockwell
Baker	Dillmeier	Langbein	Ruggles
S. Baldwin	Ecclesine	Longyear	Sager
Barnes	Fish	Maher	Sanders
Billings	Flecke	Marvin	Santee
Bradley	Floyd-Jones	McFalls	Shannon
Brick	Gallagher	McGraw	Sheldon
J. S. Brown	Gere	McKee	Skillman
Bulmer	Gilbert	Moller	Skinner
E. Case	Grady	Moore	Spicer
G. M. Case	J. S. Graham	Niven	Stein

T. A. Case	Gulick	Noyes	Stephenson
Childs	Hamilton	Q'Hare	Stone
Clapp	Hammond	Orr	Taylor
Clark	Hayes	Peck	Thistlethwaite
Corbett	M. Healy	Piper	Valentine
Córsa	Hepburn	Post	Webb
Cowdth	Herrick	Potter	Welsh
Cozans	Hodges	Rice	Wemple
Crowley	Holahan	H. H. Rockwell	Williams
Curran	Humphrey		

Mr. Billings, from the committee on expenditures of the House, to which was referred the resolution presented by Mr. Hepburn, providing for the appointment of a superintendent of documents, reported in favor of the adoption of the following resolution:

*Whereas*, The sergeant-at-arms should have additional assistance to take proper and present care of the document department; therefore

*Resolved*, That E. Parmelee, Jr., be and he is hereby appointed assistant superintendent of the documents of the Assembly during the present session, at a compensation of five dollars per day without mileage; that said compensation be paid in the same manner that other officers of the House are paid.

Mr. Hayes moved to amend by substituting the name of Chas. G. Ingraham instead of E. Parmelee, Jr.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Ecclesine moved to amend by substituting the name of P. Sullivan instead of E. Parmelee, Jr.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 75 }  
{ NOES 4 }

Those who voted in the affirmative, were

Alvord	Curran	Longyear	H. H. Rockwell
Baker	Davenport	Lyon	Ruggles
M. L. Baldwin	Fish	Maher	Sager
Barnes	Flecke	Marvin	Santee
Billings	Floyd-Jones	McFalls	Shannon
Billington	Gallagher	McGraw	Skinner
Bissell	Gere	McKee	Spicer
Bradley	Gilbert	Mitchell	Stephenson
J. H. Brown	Grady	Moller	Suydam
J. S. Brown	J. G. Graham	Moody	Taylor
E. Case	Gulick	Moore	Thistlethwaite
G. M. Case	Hamilton	Neilson	Tighe
T. A. Case	Hammond	Noyes	Valentine
Clapp	Hepburn	O'Hare	Webb
Clark	Hodges	Orr	Welsh
Córsa	Holahan	Peck	Wemple
Coulter	Humphrey	Post	Wicks



Cowdin	Lang	Potter	Williams
Crowley	Langbein	Proper	

Those who voted in the negative, were

Barnes	Ecclesine	M. Healy	Niven
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Mr. Billings, from the committee on expenditures of the House, to which was referred the resolution presented by Mr. Williams, providing for the appointment of an assistant superintendent of mailing and express department, reported in favor of the adoption of the following resolution:

*Whereas*, The postmaster should have additional assistance to take proper care of the mailing and express department; therefore

*Resolved*, That W. S. Gleason be and he is hereby appointed assistant superintendent of the mailing and express department during the present session, at a compensation of five dollars per day, without mileage, salary to commence from day of appointment, and that said compensation be paid in the same manner that other officers of the House are paid.

Mr. Gallagher moved to amend by substituting the name of Edward R. Chase instead of W. S. Gleason.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

} AYES 56 {  
} NOES 38 {

Those who voted in the affirmative, were

M. L. Baldwin	Dimond	Husted	Purdy
Bissell	Ecclesine	Langbien	Rice
Bradley	Flecke	Langner	Ruggles
J. H. Brown	Floyd-Jones	Longyear	Sager
J. S. Brown	Gallagher	Lyon	Sanders
Burns	Grady	Maher	Skillman
G. M. Case	J. S. Graham	Marvin	Spinola
Childs	Hamilton	Moller	Stein
Coulter	Hayes	Neilson	Stone
Cozans	M. Healy	Niven	Tabor
Crowley	Herrick	O'Hare	Thistlethwaite
Curran	Hodges	Orr	Tighe
Davenport	Holahan	Potter	Wemple
Dillmeier	Humphrey	Proper	Wickes

Those who voted in the negative, were

Alvord	Corsa	McFalls	W. L. Rockwell
S. Baldwin	Cowdin	McGraw	Santee
Barnes	Fish	McKee	Skiner
Billings	Gere	Moody	Spicer
Brick	Gilbert	Moore	Stephenson
E. Case	Hammond	Peck	Suydam
T. A. Case	Hepburn	Piper	Taylor
Clapp	Hogeboom	Post	Webb
Clark	King	H. H. Rockwell	Williams
Corbett	Lang		

Mr. Williams moved to lay the report and resolution on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 74 }  
{ NOES 28 }

Those who voted in the affirmative, were

S. Baldwin	Ecclesine	Longyear	W. L. Rockwell
M. L. Baldwin	Flecke	Lyon	Ruggles
Billington	Floyd-Jones	Maher	Sager
Bissell	Gallagher	Marvin	Sanders
Bradley	Grady	McGraw	Santee
Brick	J. S. Graham	Mitchell	Shannon
J. H. Brown	Hamilton	Moller	Skillman
Burns	Hayes	Neilson	Spinola
G. M. Case	M. Healy	Niven	Stein
Childs	Hepburn	O'Hare	Stone
Clark	Herrick	Orr	Tabor
Coulter	Hodges	Piper	Taylor
Cowdin	Hogebloom	Post	Thistlethwaite
Cozans	Holahan	Potter	Tighe
Crowley	Humphrey	Proper	Valentine
Curran	Husted	Purdy	Welsh
Davenport	King	Rice	Wemple
Dillmeier	Langbein	H. H. Rockwell	Wickes
Dimond	Langner		

Those who voted in the negative, were

Alvord	Clapp	Hammond	Sheldon
Baker	Corbett	Lang	Skinner
Barnes	Corsa	McFalls	Spicer
Billings	Fish	McKee	Stephenson
Bulmer	Gere	Moody	Suydam
E. Case	Gilbert	Moore	Webb
T. A. Case	Gulick	Peck	Williams

Mr. Baker offered for the consideration of the House a resolution, in the words following :

*Resolved*, That there be printed for the use of the Legislature 500 copies of the financial report, and 500 copies of the expenditure report of the Auditor of the Canal Department for the fiscal year ending 30th September, 1876 ; and that 400 copies of the financial report, and 100 copies of the expenditure report be printed for the use of the Auditor.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Baker offered for the consideration of the House a resolution, in the words following :

*Resolved*, That the use of the Assembly Chamber be granted to the New York State Agricultural Society on Wednesday, the 17th inst., at 12 m, for an afternoon and evening session.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Hamilton offered for the consideration of the House a resolution, in the words following :

*Whereas*, There is a vast amount of business to be done in the department of the superintendent of documents; and

*Whereas*, It is necessary for the proper transaction of such business, to have a messenger to said department, to which the present number of appointments is insufficient; therefore

*Resolved*, That Thomas Burke be and he hereby is appointed messenger to the superintendent of documents, to be paid at the same rate as a messenger of a committee of the House, compensation to commence on the day of appointment.

*Ordered*, That said resolution be referred to the committee on expenditures of the House.

Mr. Hepburn offered for the consideration of the House a resolution, in the words following:

*Resolved*, That Levi S. Noyes be and is hereby authorized and directed to make out a statistical and boarding-house list of the members and officers of the Assembly for the use of the Assembly, at a cost not to exceed fifty dollars, to be paid out of the current funds of the Legislature, on the certificate of the Speaker.

*Ordered*, That said resolution be referred to the committee on expenditures of the House.

Mr. Lang offered for the consideration of the House a resolution, in the words following:

*Resolved*, That when this House adjourns to-day it adjourn to meet on Monday next at eight o'clock P. M.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 54 }  
{ NOES 38 }

Those who voted in the affirmative, were

Billington	Cowdin	Hogeboom	Potter
Bradley	Curran	Holahan	Proper
Brick	Davenport	Lang	W. L. Rockwell
J. H. Brown	Dillmeier	Longyear	Skillman
J. S. Brown	Dimond	Maher	Stein
Bulmer	Ecclesine	Marvin	Stephenson
E. Case	Gere	McFalls	Stone
G. M. Case	Gilbert	McKee	Suydam
T. A. Case	Grady	Moody	Taylor
Childs	Gulick	Neilson	Thistlethwaite
Clapp	Hamilton	Noyes	Valentine
Corbett	Hayes	Orr	Webb
Corsa	Hepburn	Post	Wemple
Coulter	Herrick		

Those who voted in the negative, were

Alvord	Floyd Jones	Moore	Shannon
Baker	Gallagher	Niven	Skinper
S. Baldwin	J. S. Graham	O'Hare	Spicer
M. L. Baldwin	Hammond	Peck	Spinola
Billings	Hodges	Piper	Tabor
Bissell	King	Purdy	Tighe
Clark	Langbein	Sager	Welsh

Cozans  
Crowley  
Fish

Langner,  
Mitchell  
Moller

Sanders  
Santee

Wickes  
Williams

Mr. Fish offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the bill introduced January 9, entitled "An act to provide for the custody and reformatory treatment of vagrants and disorderly persons," be printed and placed on the files.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Fish offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the Secretary of State is hereby requested to transmit without delay, to the Assembly a statement of the amount already appropriated for the compilation, revision and for the payment of extra clerks and for other expenses in his department in the preparation, tabulation, printing and binding of the census of 1875, together with a statement of the amount appropriated for defraying like expenses of the census of 1865.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Alvord offered for the consideration of the House a resolution, in the words following:

*Resolved*, That 500 copies of the Report of the Trustees of the New York State Asylum for Idiots be printed for the use of the trustees.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Langbein offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the usual number of lists of standing committees of the House be printed.

*Ordered*, That said resolution be referred to the committee on expenditures of the House.

Mr. Ecclesine offered for the consideration of the House a resolution, in the words following:

*Resolved*, That whereas there is still a good deal of work to be done by the wrapping department, and the present force is inadequate; therefore

*Resolved*, That Philip Sullivan be and he is hereby appointed an assistant in that department, at a salary of five dollars per day.

*Ordered*, That said resolution be referred to the committee on expenditures of the House.

Mr. J. S. Graham offered for the consideration of the House a resolution, on behalf of J. G. Graham, in the words following:

*Resolved*, That Chauncey G. Varney be and he is hereby appointed clerk to committee on general laws, with the same compensation as other clerks of committees.

*Ordered*, That said resolution be referred to the committee on expenditures of the House.

Mr. Speaker announced the following appointments of clerks and messengers for the different standing committees:

Ways and Means—Clerk, Robert M. Richardson.

Judiciary—Clerk, Thomas J. Clark; messenger, Charles F. Ashley.

Affairs of Cities—Clerk, R. B. Taylor ; messenger, Ezra Y. Ousterhout.  
 Canals—Clerk, Henry G. Sargent ; messenger, Charles R. Allen.  
 Railroads—Clerk, William C. Skinner ; messenger, Cyrus W. Hewitt.  
 Commerce and Navigation—Clerk, Edwin T. Gale ; messenger, Joseph A. Stratton.

Insurance, Two-thirds and Three-fifths Bills, Game Laws and Rules—Clerk, G. Fred. Wiltsie ; messenger, J. Had. Pearson.

Banks, General Laws, Agriculture, Expenditures of the Executive Department—Clerk, H. D. Cunningham ; messenger, John Hayes.

Roads and Bridges and Affairs of Villages—Clerk, George Stratton ; messenger, Burton Hammond.

Claims, State Prisons and Indian Affairs—Clerk, J. Henry C. Post ; messenger, James F. Johnston.

Internal Affairs and Charitable and Religious Societies—Clerk, Henry W. Page ; messenger, A. A. Smith.

Public Education, Joint Library and Expenditures of the House—Clerk, ——— ; messenger, Charles R. Patterson.

Public Printing, Militia and Civil Divisions—Clerk, A. J. Hotchkiss ; messenger, F. W. Spicer.

Trade and Manufactures, Grievances and Manufacture of Salt—Clerk, Adolphus I. Simmons ; messenger, Griffith W. Jones.

Public Health, Petitions of Aliens, and State Charitable Institutions—Clerk, David H. McFalls ; messenger, Jay E. McGuire.

Privileges and Elections, Federal Relations and Public Lands—Clerk, Samuel C. Miller ; messenger, Arthur C. Wade.

Mr. Speaker announced the following as official reporters of the House :  
 Albany Evening Journal, Alexander McBride ; Albany Argus, J. Wesley Smith ; Albany Express, F. M. White ; Albany Times, John T. Maguire ; Albany Post, R. M. Griffin ; Albany Knickerbocker, John Hastings ; Associated Press, M. H. Rooker ; National Press Association, H. R. Sewell ; Brooklyn Times, John Cogan ; Brooklyn Argus, Augustin Snow ; Brooklyn Union, C. W. Bishop ; Buffalo Courier, Lyman B. Smith ; Elmira Gazette, A. C. Eustace ; Syracuse Standard, Moses Summers ; Utica Herald, H. D. Cunningham ; New York Express, P. W. Rhodes ; New York Tribune, Edgar L. Murwin ; New York Times, Cuthbert Mills ; New York Sun, W. H. Bodwell ; New York Herald, Harry O'Connor ; New York World, Hiram Calkins ; New York Commercial Advertiser, ——— ; New York Post,

Mr. Speaker presented a memorial of the New York Public Health Association, which was read and referred to the committee on public health.

Mr. Speaker presented the second annual report of the Central New York Institution for Deaf and Dumb ; which was laid on the table and ordered printed.

(See Doc. No. 20.)

On motion of Mr. Spinola, at 12 o'clock and 35 minutes, the House adjourned.

## MONDAY, JANUARY 15, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Bartlett.

The journal of Friday, January 12, was read and approved.

Mr. Langbein introduced a bill entitled "An act in relation to the salaries of officers and persons paid from the treasury of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Holahan introduced a bill entitled "An act to provide a guaranty fund for the protection of depositors in savings banks," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

On motion of Mr. Holahan, and by unanimous consent, said bill was ordered printed.

Mr. Lang introduced a bill entitled "An act amending the law of evidence in relation to disputed writings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Santee introduced a bill entitled "An act to amend an act entitled 'An act to amend section 19 of chapter 570 of the Laws of 1872, entitled An act to ascertain by proper proofs the citizens who shall be entitled to the right of suffrage in the State of New York, except in the city and county of New York and the city of Brooklyn, and to repeal chapter 572 of the Laws of 1871, entitled An act to amend an act entitled An act in relation to elections in the city and county of New York,' passed June 23, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Weiant introduced a bill entitled "An act for the better protection of personal character," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hayes introduced a bill entitled "An act to extend to certain incorporated societies the application of the term 'public library,' in section 4 of title 1 of chapter 13 of part 1 of the Revised Statutes, exempting certain property from taxation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Gallagher introduced a bill entitled "An act to amend chapter 249 of the Laws of 1875, entitled 'An act to regulate the use of slips, wharves and piers in the city of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Baker presented the petition of citizens of Washington county for reduction of judge and surrogate salary; which was read and referred to the committee on the judiciary.

Mr. Barnes presented the petition of residents of Otsego county for an act to allow the Butternuts and Sherburne Turnpike Company to abandon their turnpike, and to repeal the act of April 9, 1836; which was read and referred to the committee on roads and bridges.

Mr. Gulick offered for the consideration of the House a resolution, in the words following:

*Whereas*, It is deemed necessary, on account of the amount of labor required of the superintendent of documents, that he should have an assistant; therefore

*Resolved*, That John M. Smelzer be appointed assistant superintendent of documents, at a compensation of five dollars per day and the same mileage as is now allowed by law to the members of the Legislature.

*Ordered*, That said resolution be referred to the committee on expenditures of the House.

Mr. O'Hara offered for the consideration of the House a resolution, in the words following:

*Whereas*, The entrance from the cloak room, at the left side of the Assembly Chamber, is unprotected, and in consequence thereof much inconvenience is caused to members of this House, whose seats are immediately contiguous thereto; and,

*Whereas*, The drafts or currents of air arising from the frequent passages through said entrance of members and other persons having business with the House, and from the continuous opening and closing of the door thereof, are injurious to the comfort and health of said members;

*Resolved*, That a storm or shelter door be erected in front of said entrance in the cloak room, for the purpose of obviating the difficulties referred to.

*Ordered*, That said resolution be referred to the committee on expenditures of the House.

Mr. Spinola called from the table a resolution previously offered by him, in the words following:

*Resolved* (if the Senate concur), That section 9 of article 8 of the Constitution be amended so as to read as follows (by adding to said section the following):

§ 9. The bonded debt of the city and county of New York shall at all times be kept within the sum of one hundred and fifty millions of dollars, and all bonds and stock issued by said city and county which would increase said bonded debt beyond the limit above named, shall be void in both law and equity. It shall be a felony, and punishable as such, for any person to issue any bonds or stocks in the name of said city and county which would at any time increase said debt beyond the limit above named.

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Spinola moved to refer said resolution to the committee of the whole.

Mr. Alvord moved to amend, by referring said resolution to the committee on affairs of cities.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Spinola, and it was determined in the negative.

JAN. 15.]

{ AYES 17 }  
{ NOES 43 }

Those who voted in the affirmative, were

Bradley	Ecclesine	Holahan	Purdy
Burns	Grady	Maher	Sager
Cozans	Hamilton	Maynard	Sanders
Curran	Herrick	Neilson	Spinola
Dimond			

Those who voted in the negative, were

Alvord	Fish	Lang	Santee
Baker	Gilbert	Langbien	Shannon
S. Baldwin	J. S. Graham	McFalls	Skillman
Barnes	Gulick	Moody	Skinner
E. Case	Hammond	Moore	Smith
T. A. Case	Hayes	Noyes	Stephenson
Clapp	Hepburn	O'Hare	Stone
Clark	Hogeboom	Peck	Welsh
Corbett	Husted	Piper	Wickes
Corsa	Keator	Potter	Williams
Cowdin	King	Ruggles	

Mr. Alvord then renewed his motion.

Mr. Spinola moved to amend by substituting the committee on general laws for that of the committee on affairs of cities.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Spinola called for the ayes and noes.

Mr. Speaker declared the call as too late, for the reason that the chair had already declared the motion of Mr. Spinola as lost.

Mr. Spinola then moved to amend by substituting the committee on the judiciary in the place of committee on affairs of cities.

Mr. Husted moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Spinola, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Alvord, and it was determined in the affirmative; and said resolution was so referred.

Mr. Bradley offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the Secretary of State be directed to report to this Assembly within ten days, the terms of the contract between the State and the tenant of Congress Hall, the amount of rent received from him, and the amount remaining due and unpaid, and the proceedings of the Board of Land Commissioners in relation to said contract and accounts.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Hammond offered for the consideration of the House a resolution, in the words following:

*Whereas*, The sergeant-at-arms should have additional assistance to take care of the wrapping department; therefore

*Resolved*, That Levi S. Noyes be and he is hereby appointed assistant



superintendent of the wrapping department of the Assembly during the present session, and that he receive the same compensation as the superintendent of the wrapping department, to be paid in the same manner as the other officers of the House are paid.

*Ordered*, That said resolution be referred to the committee on expenditures of the House.

Mr. Lang offered for the consideration of the House a resolution, in the words following:

*Whereas*, The duties of the librarian are such that a messenger to the librarian is necessary.

*Resolved*, That Vernon Boynton be chosen to that position at the same compensation as is allowed other messengers of this House.

*Ordered*, That said resolution be referred to the committee on expenditures of the House.

The order of business, "general orders," being announced,

The House resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend an act entitled 'An act authorizing the city of Schenectady to raise money for school purposes.'"

"An act making an appropriation for the expenses and compensation of certain commissioners and their employes appointed under chapter 382 of the Laws of 1876."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Cozans, from said committee, took the floor to make his report, when

Mr. Spinola rose to a question of privilege and raised the point of order that there was no quorum present.

Mr. Husted raised the point of order that no question being before the House, and the chairman of the committee of the whole was about to make his report, the point of order raised by Mr. Spinola was not in order.

Mr. Speaker decided the point of order raised by Mr. Husted as well taken.

Mr. Spinola then appealed from the decision of the chair.

Mr. Husted moved to lay the appeal on the table.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Husted, and it was determined in the affirmative.

Mr. Cozans, from the committee of the whole, then reported in favor of the passage of said first mentioned bill, with amendments.

The question being on agreeing to said report,

Mr. Spinola again raised the point of order that there was no quorum present.

Mr. Husted moved that the House adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon, at 9 o'clock, the House adjourned.

TUESDAY, JANUARY 16, 1877.

The House met pursuant to adjournment.

Prayer by Rev. W. W. Battershall.

The journal of yesterday was read and approved.

Mr. Speaker stated the pending question when the House adjourned yesterday to be upon agreeing to the report of the committee of the whole, in the words following:

"Mr. Cozans, from the committee of the whole, reported in favor of the passage of the bill entitled 'An act to amend an act entitled An act authorizing the city of Schenectady to raise money for school purposes,' with amendments."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Said bill was then ordered engrossed for a third reading.

Mr. Cozans, from said committee, also reported in favor of the passage of said second mentioned bill; which report was agreed to, and said bill ordered engrossed for a third reading.

This being the day assigned by the rules for the consideration of general orders,

The House resolved itself into a committee of the whole on the bill entitled as follows:

"An act to amend section 73 of chapter 370 of the Laws of 1876, entitled 'An act to amend and consolidate the several acts relating to the city of Elmira.'"

And after some time spent therein, Mr. Alvord, from said committee, reported in favor of the passage of said bill; which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. McGroarty introduced a bill entitled "An act to provide for the temporary relief of the poor in a portion of Kings county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Suydam introduced a bill entitled "An act to authorize the supervisors of Queens county to acquire title to the franchises, rights, title and property of the Maspeth Railroad and Bridge Company, in the town of Newtown and the county of Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Marvin introduced a bill entitled "An act to regulate the sale of goods at public auction in the several cities of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Mr. Nachtmann introduced a bill entitled "An act to amend chapter 590 of the Laws of 1872, entitled 'An act to regulate processions and parades in the cities of the State of New York,' passed May 7, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Hayes introduced a bill entitled "An act to create a board of railroad commissioners, and to regulate their powers," which was read

the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

On motion of Mr. Hayes, and by unanimous consent, said bill was ordered printed.

Mr. Moore introduced a bill entitled "An act to provide for representation in boards of supervisors, and to create a board of auditors in certain counties of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. J. G. Graham introduced a bill entitled "An act to amend an act to revise and amend the charter of the village of Port Jervis, in the county of Orange, passed May 1, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Floyd-Jones introduced a bill entitled "An act to erect a new county from the towns of Oyster Bay, Hempstead and North Hempstead, of Queens county, and the towns of Huntington and Babylon, of Suffolk county, to be called and known by the name of Nassau county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on civil divisions.

On motion of Mr. Floyd-Jones, and by unanimous consent, said bill was ordered printed.

Mr. Hepburn introduced a bill entitled "An act to fix the compensation of county judge and surrogate in the county of St. Lawrence," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Brill introduced a bill entitled "An act further to amend chapter 857 of the Laws of 1873, entitled 'An act in relation to the keeping open of certain public offices in the county of Kings,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Clark introduced a bill entitled "An act to change the name of the Rochester and Pine Creek Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Hodges introduced a bill entitled "An act in relation to coroners' fees and post mortem examinations in Monroe county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, a bill entitled "An act in relation to treasurer's fees and per centages in Monroe county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. McGroarty introduced a bill entitled "An act to provide for the annexation of the town of New Lots, in the county of Kings, to the city of Brooklyn, and for its government and control in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on civil divisions.

Mr. Brill presented a petition of the board of supervisors of the county of Suffolk, asking an appropriation for relief of Shinnecock Indians; which was read and referred to the committee on ways and means.

Mr. Proper presented a petition of the inhabitants of Columbia county, asking for a law restraining the trustees of schools from hiring teachers

beyond their term of office; which was read and referred to the committee on public education.

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr. S. Baldwin, Int. No. 77, entitled "An act to legalize the official acts of the assessors of the village of Wellsville, Allegany county, and to extend the time for the collection of taxes therein," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Morey, from the committee on privileges and elections, to which was referred the resolution presented by Mr. Alvord, relative to the petition of Waters W. Braman, contesting the seat of Edward Curran, reported in favor of the adoption of said resolution, in the words following:

*Resolved*, That the committee on privileges and elections of this House, to which was referred the petition of Waters W. Braman, claiming the seat now occupied by Edward Curran, be authorized to send for persons and papers, and to employ a stenographer.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Smith called from the table a resolution previously offered by him in the words following:

*Whereas*, Notification has been received from the secretary of the Board of Regents of the State of New York that vacancies have occurred in said board, by reason of the decease of James W. Booth and George R. Perkins; therefore

*Resolved* (if the Senate concur), That the Legislature meet in joint session on Wednesday, the 31st day of January, instant, at 12 o'clock, noon, for the purpose of electing Regents of the University in place of James W. Booth and George R. Perkins, deceased.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Moore offered for the consideration of the House a resolution, in the words following:

*Whereas*, The present system of taxation in the State of New York is glaringly defective, partial and oppressive, as it permits the largest portion of personal and corporate property to escape taxation by many evasions and subterfuges; and

*Whereas*, The burden of taxation, both State and local, is put almost entirely on real estate, thereby unjustly and grievously oppressing the freeholders, especially those whose holdings are small and incumbered; therefore, be it

*Resolved*, That the committee on general laws is hereby respectfully directed to report to this House, at an early day, a bill correcting this great wrong to the freeholders, relieving them from an unjust burden and fixing it so that a just proportion of our yearly tax may be placed on all personal and corporate property, of which the greater portion, under the present system, now escapes all taxation.

Said resolution giving rise to debate,

*Ordered*, That the same be laid on the table.

Mr. Holahan offered for the consideration of the House a resolution, in the words following :

*Resolved*, That the privileges of the floor be extended to Hon. W. W. Cook, a former member of this body.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Ecclesine called from the table a resolution previously offered by him in the words following :

*Resolved*, That the district attorney of the city and county of New York, be directed to certify to this House the list of indictments on which arrests have been made, and which are still untried, with a brief statement of the reasons why said indictments have not been brought to trial.

Mr. Mitchell moved that said resolution be referred to the committee on the judiciary.

Mr. Husted moved to postpone the further consideration of said resolution indefinitely, and on that motion moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

{ AYES 56 }  
{ NOES 48 }

Those who voted in the affirmative, were

Alvord	Cowdin	Husted	Shannon
Backenstose	Crowley	Keator	Skillman
Baker	Fay	Lang	Skinner
S. Baldwin	Fish	Marvin	Smith
Barnes	Gallagher	McFalls	Spicer
Bowen	Gere	McGraw	Stephenson
J. S. Brown	Gilbert	McKee	Suydam
E. Case	J. G. Graham	Moody	Taylor
G. M. Case	Gulick	Moore	Thistlethwaite
T. A. Case	Hammond	Morey	Valentine
Clapp	Hayes	Noyes	Webb
Clark	Hepburn	Peck	Welsh
Corbett	Hodges	Potter	Wickes
Corsa	Hogeboom	Santee	Williams

Those who voted in the negative, were

Bradley	Grady	Mitchell	W. L. Rockwell
J. H. Brown	J. S. Graham	Moller	Sager
Bulmer	Hamilton	Nachtmann	Sanders
Burns	M. Healy	Neilson	Shanley
Coulter	Herrick	Niven	Sliter
Cozans	Holahan	O'Hare	Spinola
Davenport	Humphrey	Piper	Stein
Dillmeier	Langbein	Proper	Stone
Dimond	Longyear	Purdy	Tighe
Ecclesine	Maher	Rice	Weiant
Flecke	Maynard	H. H. Rockwell	Wemple
Floyd-Jones	McGroarty		

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Husted, and it was determined in the affirmative.

Mr. Cowdin called from the table a resolution previously offered by him in the words following:

*Resolved*, That the committee on affairs of cities, when appointed, be requested to report to this House, by bill or otherwise, what measures, in their judgment, should be adopted tending to retrenchment and reform in the government of the city of New York.

Mr. Grady moved to amend said resolution as follows:

Strike out all after the word "Resolved," and insert in lieu thereof the following: "That the committee on affairs of cities be requested to report to this House, by bill or otherwise, what measures, in its judgment, should be adopted, tending to retrenchment and reform in the government of the cities of the State."

Mr. Mitchell moved that the House adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Fish moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said amendment, and it was determined in the negative.

{ AYES 40 }  
{ NOES 59 }

Those who voted in the affirmative, were

Bradley	Dillmeier	Maher	W. L. Rockwell
Brick	Dimond	McGroarty	Sager
Brill	Ecclesine	Moller	Sanders
J. H. Brown	Flecke	Nachtmann	Shanley
Bulmer	Floyd-Jones	Neilson	Spinola
Burns	Grady	Niven	Stein
Coulter	M. Healy	Piper	Tighe
Cozans	Herrick	Proper	Valentine
Crowley	Holahan	Purdy	Weiant
Davenport	Humphrey	H. H. Rockwell	Wemple

Those who voted in the negative, were

Alvord	Fish	Lang	Shannon
Backenstose	Gallagher	Langbein	Skillman
Baker	Gere	Marvin	Skinner
S. Baldwin	Gilbert	Maynard	Smith
Barnes	J. G. Graham	McFalls	Speaker
J. S. Brown	J. S. Graham	McGraw	Stephenson
E. Case	Gulick	McKee	Stone
G. M. Case	Hammond	Moody	Suydam
T. A. Case	Hayes	Moore	Taylor
Clapp	Hepburn	Morey	Thistlethwaite
Clark	Hodges	Noyes	Webb
Corbett	Hogeboom	O'Hare	Welsh
Corsa	Husted	Peck	Wickes
Cowdin	Keator	Potter	Williams
Fay	King	Santee	

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Marvin offered for the consideration of the House a resolution, in the words following :

*Whereas*, It is necessary for the convenience of members, and for the dispatch of documents sent by members of this House, that the sergeant-at-arms should have more assistance in the wrapping department; therefore

*Resolved*, That Elisha Hanshaw, Jr., be and he hereby is appointed assistant superintendent of the wrapping department, and that he receive the same per diem compensation as is now by law authorized and paid to an assistant doorkeeper of the House, and that said compensation be paid from the day of appointment, and in the same manner that other officers of the House are paid.

*Ordered*, That said resolution be referred to the committee on expenditures of the House.

Mr. Marvin offered for the consideration of the House a resolution, in the words following :

*Whereas*, The committee on apportionment will, during its sessions, for the proper discharge of its duties, and as well the economic facilitation of business, require a clerk and messenger; be it therefore

*Resolved*, That Charles W. Swan is hereby appointed clerk, and Charles A. Pavie messenger of said committee, the same compensation to be paid them, respectively, as the clerk and messenger of the committee on ways and means, for a period, however, only commencing with the adoption of this resolution and terminating with the final passage by both houses of such bill as shall be perfected and agreed upon.

*Ordered*, That said resolution be referred to the committee on expenditures of the House.

Mr. Clapp offered for the consideration of the House a resolution, in the words following :

*Resolved*, That in order to conduce to the health and comfort of the members of this House, that the sergeant-at-arms be directed to open the windows of this Assembly Chamber, during each recess of the House, a sufficient time for the introduction of a proper supply of fresh air.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Spinola offered for the consideration of the House a resolution, in the words following :

*Resolved*, That the committee on general laws be requested to prepare and report an act declaring it a felony, and punishable as such, for any trustee, executor, administrator, guardian, or other person acting in a fiduciary capacity, to embezzle, misapply, or convert to his own use, any money or property intrusted to him as such trustee, executor, administrator, guardian, or agent.

Said resolution giving rise to debate,

*Ordered*, That the same be laid on the table.

Mr. Burns offered for the consideration of the House a resolution, in the words following :

*Resolved*, That the seats in the rear of the Assembly Chamber be reserved for ladies and the gentlemen accompanying them.

Said resolution giving rise to debate,

*Ordered*, That the same be laid on the table.

On motion of Mr. Spinola, and by unanimous consent, the resolution offered by him relating to the bonded debt of the city of New York, was ordered printed.

Mr. Speaker presented the sixth annual report of the State Homœopathic Asylum, Middletown, N. Y., for 1876; which was laid on the table and ordered printed.

(See Doc. No. 25.)

Mr. Speaker presented the report of Le Couteulx St. Mary's Institution for the Improved Instruction of Deaf Mutes; which was laid on the table and ordered printed.

(See Doc. No. 10.)

Mr. Speaker presented the sixth annual report of the Board of Managers of the Buffalo State Asylum for the Insane; which was laid on the table and ordered printed.

(See Doc. No. 22.)

Mr. Speaker presented the report of Thomas Asylum for Orphan and Destitute Indian Children; which was laid on the table and ordered printed.

(See Doc. No. 24.)

Mr. Speaker presented the investigation of the State prisons and report thereon by the Prison Commission; which was laid on the table and ordered printed.

(See Doc. No. .)

Mr. Speaker presented a communication from the Secretary of State in reply to a communication from the Assembly, in reference to the amount of money appropriated for defraying the expenses of the late census; which was laid on the table and ordered printed.

(See Doc. No. 23.)

Mr. Speaker announced the appointment of Charles E. Millard as messenger to the committee on ways and means.

Mr. Husted moved that the daily sessions of this House hereafter commence at 11 o'clock, and remain in session until 2 o'clock, until otherwise ordered.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Indefinite leave of absence was granted to Messrs. James Healy and Galvin.

Leave of absence was granted to Mr. Childs until Thursday.

On motion of Mr. Spinola, the House, at 2 o'clock and 10 minutes, adjourned.

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## WEDNESDAY, JANUARY 17, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Clark.

The journal of yesterday was read and approved.

Mr. J. S. Brown introduced a bill entitled "An act to authorize the payment of certain moneys out of the State treasury to the heir-at-law of James Green, deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Maynard introduced a bill entitled "An act to amend an act entitled 'An act to further amend chapter 379 of the Laws of 1848, entitled



An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Welsh introduced a bill entitled "An act to amend the Revised Statutes in relation to the laying out of public roads, and the alteration thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Crowley introduced a bill entitled "An act to amend chapter 164 of the Laws of 1873 entitled 'An act to amend an act entitled An act for the support and relief of the poor, and for the government of the poor department in the county of Erie,' passed April 1, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Tabor introduced a bill entitled "An act in relation to proceedings in surrogate's court of the county of Erie, and to the powers and jurisdiction of the surrogate thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Tabor, and by unanimous consent, said bill was ordered printed.

Mr. Taylor introduced a bill entitled "An act to confirm the title of Jane Sleeper in and to certain real estate, situate in the town of Elba, in the county of Genesee, and State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Humphrey introduced a bill entitled "An act to provide for the payment of the interest due on certain bonds of the county of Greene, known as the bonds to refund taxes to banks by issuing new bonds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. McGroarty introduced a bill entitled "An act to enable the city of Brooklyn to raise further means for the improvement and sale of certain portions of Prospect park in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also a petition on the same subject, which was read and referred to the same committee.

On motion of Mr. Stephenson, and by unanimous consent, said bill was ordered printed.

Mr. Tighe introduced a bill entitled "An act to amend the charter of the city of Brooklyn and the various amendments thereof, passed June 28, 1873, which act was amended by chapter 589 of the Laws of 1874, and chapter 633 of the Laws of 1875, and to further amend the charter of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Shanley introduced a bill entitled "An act to repeal section 2 of chapter 487 of the Laws of 1875, entitled 'An act to alter the commissioners' map of the city of Brooklyn and for other purposes,' passed June 5, 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Stephenson introduced a bill entitled "An act extending the time for the organization of the New York Loan and Security Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Mr. Wemple introduced a bill entitled "An act to amend chapter 389 of the Laws of 1864, entitled 'An act to amend and consolidate the laws in relation to Amsterdam village, in Montgomery county,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Flecke introduced a bill entitled "An act to regulate the sale of spirituous and fermented liquors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

On motion of Mr. Flecke, and by unanimous consent, said bill was ordered printed.

Mr. Nachtmann introduced a bill entitled "An act to amend the charter of the Pacific Fire Insurance Company of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Hayes introduced a bill entitled "An act in relation to claims for repairing or fitting up armories or drill rooms in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Strahan introduced a bill entitled "An act to make further provision for the police department and the police force of the city of New York, and of certain members and officers thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

On motion of Mr. Strahan, and by unanimous consent, said bill was ordered printed.

Also, a bill entitled "An act to secure better administration in the district courts of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Langbien introduced a bill entitled "An act in relation to married women domiciled out of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Husted introduced a bill entitled "An act establishing the salary of the deputy comptroller, and making appropriations for certain expenses of the government, and supplying deficiencies in former appropriations for the fiscal year ending September 30, 1877," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Sheldon introduced a bill entitled "An act to amend chapter 435 of the Laws of 1868, entitled 'An act to incorporate the village of Hamilton, in the county of Madison and repeal its present charter, and to repeal chapter 250 of the Laws of 1870, chapter 18 of the Laws of 1874, and chapter 142 of the Laws of 1875,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Speaker announced the appointment of Charles H. Seymour as clerk to the committees on public education, joint library and expenditures of the House.

Also, Charles K. Underwood as messenger to the committee on affairs of cities, in place of Ezra Y. Ousterhout.

Mr. Herrick presented the remonstrance of the New York chapter of the American Institute of Architects against the proposed changes in the plans for the building of the New Capitol; which was read and referred to the committee on ways and means.

On motion of Mr. Herrick, and by unanimous consent, said remonstrance was ordered printed.

Messrs. Potter and Baker presented four petitions of citizens of Washington county for reduction of salaries of the county judge and surrogate of Washington county; which were read and referred to the committee on the judiciary.

The Senate returned the bill entitled as follows:

"An act to extend the time for the collection of taxes in the village of Edgewater, and for advertising the sale of lands for unpaid taxes in said village."

*Ordered*, That the Clerk deliver said bill to the Governor.

Mr. Speaker presented the annual report of the Trustees of the DeVeaux College for Orphan and Destitute Children; which was laid on the table and ordered printed.

(*See Doc. No. 26.*)

Mr. Smith presented a communication from the Regents of the University on the subject of strengthening the position and extending the influence of the colleges of the State; which was laid on the table and ordered printed.

(*See Doc. No. 27.*)

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Ruggles, Int. No. 6, entitled "An act to extend the powers of county judges when holding courts in other counties than their own," reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Moody, Int. No. 57, entitled "An act to amend an act entitled 'An act to incorporate the city of Binghamton,' passed April 9, 1867, and the acts amendatory of the same," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Smith, Int. No. 46, entitled "An act to amend section 2, chapter 104, Laws of 1864, entitled 'An act to amend an act entitled An act in relation to the Syracuse City Water-works Company,' passed March 31, 1864," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Fish, and by unanimous consent, the bill entitled "An act in relation to the salaries of officers and persons paid from the treasury of the city of New York," introduced by Mr. Langbien, was ordered printed.

Mr. Welsh, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend an act entitled 'An act authorizing the city of Schenectady to raise money for school purposes.'"

"An act making an appropriation for the expenses and compensation

of certain commissioners and their employes appointed under chapter 382 of the Laws of 1876."

Mr. Grady offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the committee on affairs of cities be requested to inquire and report to this House what measures of retrenchment and reform are needed for the better government of the cities of this State.

Said resolution giving rise to debate,

*Ordered*, That the same be laid on the table.

The privileges of the floor were granted to the Hon. Walter L. Sessions.

Mr. Herrick offered for the consideration of the House a resolution, in the words following:

*Whereas*, There is a large amount of work to be performed in the wrapping department, and it is, therefore, necessary to have an additional number of messengers; be it therefore

*Resolved*, That John Nash be and he is hereby appointed one of the messengers in said department, under pay of three dollars per day, same as other messengers in said department.

*Ordered*, That said resolution be referred to the committee on expenditures of the House.

Indefinite leave of absence was granted to Mr. Billings.

By unanimous consent,

Mr. Strahan introduced a bill entitled "An act for the relief of John E. McGowan," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The privileges of the floor were granted to the Hon. Thos. W. Green.

Indefinite leave of absence was granted to Mr. Lyon.

Mr. O'Hare moved to discharge the committee on expenditures of the House from the further consideration of the resolution, previously offered by him, and that said resolution be adopted, in the words following:

*Whereas*, The entrance from the cloak room at the left side of the Assembly Chamber is unprotected, and in consequence thereof much inconvenience is caused to members of this House, whose seats are immediately contiguous thereto; and

*Whereas*, The drafts or currents of air arising from the frequent passages through said entrance, of members and other persons having business with the House, and from the continuous opening and closing of the door thereof, are injurious to the comfort and health of said members;

*Resolved*, That a storm or shelter door be erected in front of said entrance in the cloak room, for the purpose of obviating the difficulties referred to.

Mr. Speaker put the question whether the House would agree to said motion of Mr. O'Hare, to discharge said committee, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The bill entitled "An act making an appropriation for the expenses and compensation of certain commissioners and their employes appointed under chapter 382 of the Laws of 1876," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative,

a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 104 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dillmeier	Langner	Sager
Backenstose	Dimond	Longyear	Sanders
Baker	Ecclesine	Maher	Santee
S. Baldwin	Fay	Marvin	Shanley
M. L. Baldwin	Filkin	Maynard	Shannon
Barnes	Fish	McFalls	Sheldon
Bowen	Flecke	McGraw	Skillman
Bradley	Floyd-Jones	McGroarty	Skinner
Brick	Gallagher	McKee	Smith
Brill	Gere	Moller	Spicer
Bulmer	Gilbert	Moody	Spinola
Burns	Grady	Moore	Stephenson
E. Case	J. G. Graham	Morey	Stone
G. M. Case	J. S. Graham	Nachtmann	Strahan
T. A. Case	Gulick	Neilson	Suydam
Childs	Hamilton	Noyes	Tabor
Clapp	Hammond	O'Hare	Taylor
Clark	Hepburn	Orr	Thistlethwaite
Corbett	Herrick	Peck	Tighe
Corsa	Herbst	Piper	Valentine
Coulter	Hodges	Potter	Waddell
Cowdin	Holahan	Purdy	Weiant
Cozans	Humphrey	Rice	Welsh
Crowley	King	H. H. Rockwell	Wemple
Curran	Lang	W. L. Rockwell	Wickes
Davenport	Langbein	Ruggles	Winch

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act authorizing the city of Schenectady to raise money for school purposes,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 102 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curran	Maher	Santee
Backenstose	Davenport	Maynard	Shanley
Baker	Dillmeier	McFalls	Shannon
S. Baldwin	Dimond	McGraw	Sheldon
M. L. Baldwin	Ecclesine	McGroarty	Skinner
Barnes	Fay	McKee	Smith
Billington	Fish	Moller	Spicer
Bissell	Floyd-Jones	Moody	Spinola
Bowen	Gallagher	Moore	Stein

Bradley	Gere	Morey	Stephenson
Brill	Gilbert	Nachtmann	Stone
J. H. Brown	Grady	Neilson	Suydam
J. S. Brown	J. S. Graham	Niven	Tabor
Bulmer	Hamilton	O'Hare	Taylor
Burns	Hammond	Peck	Thistlethwaite
E. Case	Hepburn	Piper	Tighe
G. M. Case	Herrick	Potter	Valentine
T. A. Case	Herbst	Proper	Waddell
Clapp	Hodges	Purdy	Webb
Clark	Hogeboom	Rice	Weiant
Corbett	Holahan	H. H. Rockwell	Welsh
Corsa	Humphrey	W. L. Rockwell	Wemple
Coulter	Keator	Ruggles	Wickes
Cowdin	Langbein	Sager	Williams
Cozans	Langner	Sanders	Winch
Crowley	Longyear		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The order of business, "general orders," being announced,

Mr. Husted offered a resolution in connection therewith, in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of the Governor's message, and that the several subjects and recommendations therein embodied be and hereby are referred to the several appropriate committees, as follows, viz.:

1. To the committee on ways and means, those portions treating of State finances, taxation, debt, currency, public buildings and all other subjects involving the expenditure of public moneys.

2. To the committee on canals, the entire subject of the canals and their management.

3. To the committee on affairs of cities, the subject of municipal reform.

4. To the committee on the judiciary, those portions of the message referring to betting on elections and corrupt use of money thereat, and insecurity of places of public resort.

5. To the committee on railroads, the portion of the message relating to railroad reports.

6. To the committee on State prisons, those portions of the message relating to State prisons and State reformatory.

7. To the committee on public health, that portion of the message relating to a State board of health.

8. To the committee on public education, those portions of the message relating to the subject of education, State Library and Museum of Natural History.

9. To the committee on banks, that portion relating to savings banks.

10. To the committee on militia, that portion relating to the National Guard.

11. To the committee on Federal relations, that portion of the message relating to national affairs.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, and said message was so referred.

On motion of Mr. Alvord, at 11 o'clock and 55 minutes, the House adjourned.

THURSDAY, JANUARY 18, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Darling.

The journal of yesterday was read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to amend chapter 628 of the Laws of 1874, entitled 'An act to amend an act entitled An act for the incorporation of villages,' passed April 20, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

"An act to facilitate the removal of clouds and apparent liens upon the title to real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act authorizing the board of supervisors of the county of Albany to issue bonds to pay a portion of the bonds of said county that will mature during the year 1877," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Leave of absence was granted to Mr. G. I. Post.

This being the day assigned by the rules for the consideration of general orders,

The House resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend an act entitled 'An act to incorporate the city of Binghamton,' passed April 9, 1867, and the acts amendatory of the same."

"An act to extend the powers of county judges when holding courts in other counties than their own."

"An act to legalize the official acts of the assessors of the village of Wellsville, Allegany county, and to extend the time for the collection of taxes therein."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Husted, from said committee, reported in favor of the passage of said first and second mentioned bills; which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Husted, from said committee, also reported in favor of the passage of said third mentioned bill; which report was agreed to, and said bill ordered engrossed for a third reading; and

On motion of Mr. S. Baldwin, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 102 }  
 } NOES 00 }

Those who voted in the affirmative, were

Alvord	Crowley	Langner	W. L. Rockwell
Backenstose	Curran	Longyear	Sager
Baker	Davenport	Lyon	Sanders
S. Baldwin	Dillmeier	Maher	Santee
M. L. Baldwin	Fay	Marvin	Shanley
Barnes	Fish	Maynard	Shannon
Billington	Flecke	McFalls	Sheldon
Bissell	Floyd-Jones	McGraw	Sliter
Bowen	Gallagher	McGroarty	Spicer
Bradley	Gilbert	McKee	Stein
Brick	Grady	Moller	Stephenson
Brill	Gulick	Moody	Stone
J. H. Brown	Hamilton	Moore	Strahan
J. S. Brown	Hammond	Morey	Suydam
Bulmer	M. Healy	Nachtmann	Taylor
Burns	Hepburn	Neilson	Thistlethwaite
E. Case	Herrick	Niven	Tighe
G. M. Case	Herbst	Noyes	Valentine
T. A. Case	Hodges	Orr	Waddell
Childs	Hogeboom	Peck	Webb
Clapp	Holahan	Piper	Welsh
Clark	Humphrey	Potter	Wemple
Corbett	Keator	Proper	Wickes
Corsa	King	Rice	Williams
Coulter	Lang	H. H. Rockwell	Winch
Cowdin	Langbein		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Bowen introduced a bill entitled "An act to amend chapter 587 of the Laws of 1872, entitled 'An act to authorize the appointment of assistant district attorneys in certain counties in this State,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Sheldon introduced a bill entitled "An act in relation to trials in the counties of this State, wherein any negotiable promissory note or other negotiable written instrument relating to a patent right or the sale of territory, under letters patent, shall be involved," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Sheldon, and by unanimous consent, said bill was ordered printed.

Mr. Hodges introduced a bill entitled "An act to regulate voting in the Western New York Agricultural Society," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Mr. Strahan introduced a bill entitled "An act to secure better public administration in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.



On motion of Mr. Strahan, and by unanimous consent, said bill was ordered printed.

Mr. Coulter introduced a bill entitled "An act for the relief of James B. Brady," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Corsa introduced a bill entitled "An act to amend section 7, chapter 633 of the Laws of 1866, entitled 'An act in relation to the benevolent fund of the late volunteer fire department in the city of New York,' passed April 17, 1866, as amended by chapter 962 of the Laws of 1867, and as further amended by chapter 297 of the Laws of 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Stein introduced a bill entitled "An act for the better protection of printers, publishers and lithographers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hayes introduced a bill entitled "An act to amend the charter of the American Popular Life Insurance Company of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Also, a bill entitled "An act to incorporate the American Zoological Society," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Barnes introduced a bill entitled "An act to discontinue the Butternuts and Sherburne turnpike," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Lyon introduced a bill entitled "An act to amend an act entitled 'An act to amend the charter of the Industrial School Association of Brooklyn, Eastern District,' passed April 27, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

On motion of Mr. Lyon, and by unanimous consent, said bill was ordered printed.

On motion of Mr. Tighe, and by unanimous consent, the bill entitled "An act to amend chapter 439 of the Laws of 1876, entitled 'An act relating to the expenses of judicial sales in the county of Kings,' passed June 2, 1876," was ordered printed.

By unanimous consent,

Mr. Shanley introduced a bill entitled "An act to repeal chapter 502 of the Laws of 1873, entitled 'An act to amend section 3 of chapter 533 of the Laws of 1867, entitled 'An act for the relief of the Van Brunt Street and Erie Basin Railroad Company,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Bowen, from the committee on internal affairs, to which was referred the bill introduced by Mr. Hodges, Int. No. 111, entitled "An act in relation to treasurer's fees and per centages in Monroe county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Bowen, from the committee on internal affairs, to which was referred the bill introduced by Mr. Hodges, Int. No. 110, entitled "An act in relation to coroners' fees and post-mortem examinations in Monroe

county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. McFalls, from the committee on public health, to which was referred the bill introduced by Mr. Bradley, Int. No. 17, entitled "An act for the preservation of life at sea-bathing places," reported in favor of the passage of the same, with amendments; which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. McFalls, and by unanimous consent, the bill entitled "An act to regulate the practice of medicine and surgery in the State of New York," was ordered printed.

Also, by unanimous consent, the bill entitled "An act to create a State board of health for the protection of life and health, and to prevent the spread of diseases in the State of New York," was ordered printed.

Mr. Strahan, from the committee on the judiciary, to which was referred the several bills for the relief respectively of James R. Davies, William P. Mitchell, Michael Cregan, Henry G. Leask, John E. McGowan, Robert G. McCord and Bernard C. Ryan, reported in writing and introduced a general bill covering the whole subject, entitled "An act for the relief of James R. Davies, William P. Mitchell, Michael Cregan, Henry G. Leask, John E. McGowan, Robert G. McCord and Bernard C. Ryan, as clerks and assistant clerks of the district courts in the city of New York," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Maynard, Int. No. 4, entitled "An act to amend section 3 of chapter 767 of the Laws of 1872, entitled 'An act to establish the compensation of county judges and surrogates, pursuant to the fifteenth section of the amended sixth article of the Constitution,' passed May 17, 1872," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Baker, Int. No. 2, entitled "An act to establish the compensation of the county judge and the surrogate of Washington county, pursuant to the fifteenth section of the amended sixth article of the Constitution," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Husted, Int. No. 128, entitled "An act establishing the salary of the deputy Comptroller, and making appropriations for certain expenses of the government and supplying deficiencies in former appropriations for the fiscal year ending September 30, 1877," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Husted offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the committee on ways and means be discharged from the further consideration of the bill entitled "An act to facilitate the collection of school district taxes," and that the same be referred to the committee on general laws.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Husted offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the Clerk of this House be and he is hereby authorized and directed to contract for the rent of house No. 148 State street, Albany, for the use of committees during the present session of the Legislature, at an expense not to exceed two thousand dollars, inclusive of janitor's fees, lights and fuel.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 77 }  
{ NOES 24 }

Those who voted in the affirmative, were

S. Baldwin	Gallagher	Maynard	Santee
Bissell	Gilbert	McFalls	Shanley
Bowen	Grady	McGraw	Shannon
Bradley	J. G. Graham	McGroarty	Sliter
Brick	J. S. Graham	McKee	Speaker
Brill	Gulick	Mitchell	Spicer
T. A. Case	Hamilton	Moller	Stephenson
Clapp	Hammond	Moody	Stone
Clark	Hodges	Morey	Strahan
Corsa	Hogeboom	Neilson	Suydam
Coulter	Holahan	Noyes	Taylor
Cowdin	Husted	O'Hare	Thistlethwaite
Cozans	King	Orr	Tighe
Crowley	Lang	Piper	Valentine
Davenport	Langbien	H. H. Rockwell	Waddell
Dillmeier	Longyear	W. L. Rockwell	Webb
Dimond	Lyon	Ruggles	Welsh
Fay	Maher	Sager	Wemple
Fish	Marvin	Sanders	Wickes
Floyd-Jones			

Those who voted in the negative, were

Alvord	E. Case	Hepburn	Proper
Backenstose	G. M. Case	Herbst	Rice
M. L. Baldwin	Childs	Moore	Sheldon
J. H. Brown	Corbett	Nachtmann	Skinner
J. S. Brown	Curran	Niven	Smith
Burns	M. Healy	Peck	Stein

Mr. Welsh, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act to amend section 73 of chapter 370 of the Laws of 1875, entitled 'An act to amend and consolidate the several acts relating to the city of Elmira.'"

Mr. H. H. Rockwell presented a petition of attorneys of Chemung county, for repeal of the code of remedial justice; which was read and referred to the committee on the judiciary.

Mr. W. L. Rockwell presented a petition of certain veterans of the war of 1812, for payment of certificates for arms and equipments furnished by themselves; which was read and referred to the committee on ways and means.

Mr. McKee presented a remonstrance of supervisors of several towns of Herkimer county against repeal of act creating board of town auditors; which was read and referred to the committee on internal affairs.

Mr. Burns called from the table a resolution previously offered by him, in the words following:

*Resolved*, That the seats in the rear of the Assembly Chamber be reserved for ladies and the gentlemen accompanying them.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Peck offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the committee on public printing be instructed to inquire, and report to the House, the cost of printing 1,500 additional copies of the list of standing committees of the Assembly.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Smith offered for the consideration of the House a resolution, in the words following:

*Resolved* (if the Senate concur), That 300 extra copies of the communication from the secretary of the Board of Regents, inclosing a report on the subject of strengthening the position and enlarging the influence of the colleges of the State, be printed for the use of the Regents of the University.

Said resolution being concurrent,

*Ordered*, That the same be laid on the table.

Mr. Moore called from the table a resolution previously offered by him in the words following:

*Whereas*, The present system of taxation in the State of New York is glaringly defective, partial and oppressive, as it permits the largest portion of personal and corporate property to escape taxation by many evasions and subterfuges; and

*Whereas*, The burden of taxation, both State and local, is put almost entirely on real estate, thereby unjustly and grievously oppressing the freeholders, especially those whose holdings are small and incumbered; therefore, be it

*Resolved*, That the committee on general laws is hereby respectfully directed to report to this House, at an early day, a bill correcting this great wrong to the freeholders, relieving them from an unjust burden and fixing it so that a just proportion of our yearly tax may be placed on all personal and corporate property, of which the greater portion, under the present system, now escapes all taxation.

Mr. Hodges offered the following as a substitute:

*Whereas*, The present system of assessment and taxation in this State is defective and inferior to the systems adopted by many other States; and

*Whereas*, A vast amount of personal property is now exempt by law, and by the action of its owners in evading taxation, thus burdening, to an excessive degree, the real estate, by imposing more than its due share of tax upon this species of property; therefore, be it

*Resolved*, That the committee on ways and means are hereby instructed to report to this House, at an early day, what amendments to our present law are necessary in order to secure a more thorough assessment and taxation of personal property in this State, and if the remedy sought

cannot be attained by an amendment to our present laws ; that said committee be also requested and directed to report to this House, at an early day, whether a radical change in our entire system of assessment and taxation and the adoption, in whole or in part, of certain features in the systems of certain other States, especially those of Pennsylvania, Ohio and the New England States, is desirable in this State.

Mr. Morey moved that the original resolution, with the substitute, be referred to the committee on ways and means.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Skinner offered for the consideration of the House a resolution, in the words following :

*Whereas*, A contract was entered into with the State printer, for the publication of the Agricultural Reports of 1872, 1873, 1874 and 1875, be it therefore

*Resolved*, That the State printer be requested to report the reasons why he has not fulfilled such contract.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Webb offered for the consideration of the House a resolution, in the words following :

*Resolved*, That 300 copies of the report of the Managers of the Hudson River State Hospital for the Insane, be printed for the use of the managers of said hospital.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Bowen offered for the consideration of the House a resolution, in the words following :

*Whereas*, It is necessary for the convenience of the members of this House that the postmaster have additional assistance in the post-office department ; therefore

*Resolved*, That Isaac B. Potter be and he is hereby appointed assistant postmaster during the present session, at a compensation the same as a committee clerk.

*Ordered*, That said resolution be referred to the committee on expenditures of the House.

Mr. J. G. Graham offered for the consideration of the House a resolution, in the words following :

*Whereas*, An all-wise Providence has suddenly taken from us by death one of our number, Hon. Stewart T. Durland, a member of this Assembly from the county of Orange ; therefore

*Resolved*, That while we humbly bow to this sad and mysterious dispensation of the Divine Master, whom we are taught to believe "doeth all things well," we mournfully embrace this opportunity of bearing testimony to his intelligence and fidelity as a legislator, and his worth and his virtues in every relation of life.

*Resolved*, That in his death this Legislature has lost a safe and wise public servant, his district a faithful and able representative, his friends a man whom they could always trust, and his family a kind and loving husband and father.

*Resolved*, That in token of our appreciation of his worth, and our sorrow at his loss, the members of this House wear the usual badge of mourning during the balance of this session.

*Resolved*, That a committee of five be appointed by the Speaker to

attend the funeral and to participate in paying the last tribute of respect to the memory of our departed colleague:

*Resolved*, That the Clerk of this House forward a copy of the foregoing preamble and resolutions to the family of the deceased.

*Resolved*, That this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said resolutions, and it was determined in the affirmative.

Mr. Speaker appointed as a committee to attend the funeral, Messrs. J. G. Graham, Weiant, Grady, Keator and Purdy.

Whereupon, at 12 o'clock and 15 minutes, the House adjourned.

## FRIDAY, JANUARY 19, 1877.

The House met pursuant to adjournment.

Prayer by Rev. J. Day.

The journal of yesterday was read and approved.

The Senate returned the bill entitled "An act to amend an act entitled 'An act authorizing the city of Schenectady to raise money for school purposes,'" with a message informing that they had passed the same, with the following amendment:

Amend the title so as to read "An act to amend chapter 550 of the Laws of 1875, entitled 'An act authorizing the city of Schenectady to raise money for school purposes.'"

The amendment having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Fay	Longyear	W. L. Rockwell
Backenstose	Filkin	Lyon	Ruggles
Baker	Fish	Maher	Sager
S. Baldwin	Flecke	Marvin	Santee
M. L. Baldwin	Floyd-Jones	McFalls	Shanley
Barnes	Gere	McGraw	Shannon
Billington	Gilbert	McGroarty	Sheldon
Bowen	Grady	McKee	Skinner
Bradley	J. S. Graham	Moller	Spicer
J. S. Brown	Gulick	Moody	Stephenson
Bulmer	Hamilton	Moore	Stone
E. Case	Hammond	Morey	Strahan
G. M. Case	Herbst	Neilson	Suydam
T. A. Case	Hodges	Niven	Taylor
Clapp	Hogeboom	Noyes	Thistlethwaite
Clark	Holahan	O'Hare	Tighe
Coulter	Humphrey	Orr	Valentine

Cozans	Husted	Piper	Webb
Crowley	Keator	Post	Welsh
Curran	King	Potter	Wickes
Davenport	Langbein	Proper	Williams
Dillmeier	Langner	Rice	Winch
Dimond			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendment.

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows:

"An act to extend the time for the collection of taxes in the towns of North Hempstead and Oyster Bay, in the county of Queens."

*Ordered*, That the Clerk deliver said bill to the Governor.

Mr. Alvord presented the annual report of the Superintendent of the Onondaga Salt Springs; which was laid on the table and ordered printed.

(*See Doc. No. 29.*)

In connection therewith, Mr. Alvord offered for the consideration of the House a resolution, in the words following:

*Resolved*, That there be printed 500 extra copies of the annual report of the Superintendent of the Onondaga Salt Springs for the use of the Superintendent.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Speaker announced the appointment of Henry L. Baldwin as clerk of the committees on public printing, militia and civil divisions, in place of A. J. Hotchkiss.

Mr. Speaker presented the report of the Commissioners appointed under chapter 382 of the Laws of 1876, to investigate certain lateral canals; which was laid on the table and ordered printed.

(*See Doc. No. 80.*)

Mr. Speaker presented the annual report of the Commissioners of Emigration for the year ending December 31, 1876; which was laid on the table and ordered printed.

(*See Doc. No. .*)

Mr. Speaker presented the annual report of the Canal Department on the tolls, trade and tonnage of the canals for the year 1876; which was laid on the table and ordered printed.

(*See Doc. No. 31.*)

Mr. Post introduced a bill entitled "An act to amend section 31 of article 3, of title 2, of chapter 13 of part first of the Revised Statutes, in relation to the equalization of assessments by boards of supervisors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Sheldon introduced a bill entitled "An act in relation to warrants for the payment of money drawn by the Comptroller of this State upon the Treasurer of the State, and the form and preservation thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

On motion of Mr. Sheldon, and by unanimous consent, said bill was ordered printed.

Mr. Coulter introduced a bill entitled "An act in relation to the fare on the New York Elevated Railroad in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Ecclesine introduced a bill entitled "An act to facilitate travel over railroads in cities and to provide for the removal of impediments and obstructions thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Hayes introduced a bill entitled "An act to amend an act entitled 'An act to secure to children the benefits of elementary education,' (being chapter 421 of the Laws of 1874,) passed May 11, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Cowdin introduced a bill entitled "An act in relation to cleaning the streets of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Langbein introduced a bill entitled "An act to amend chapter 549 of the Laws of 1873, entitled 'An act regulating the sale of intoxicating liquors,' passed April 11, 1870;" and the act entitled "An act to suppress intemperance, and to regulate the sale of intoxicating liquors, passed April 16, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

On motion of Mr. Langbein, and by unanimous consent, said bill was ordered printed.

Mr. Nivens introduced a bill entitled "An act to amend chapter 237 of the Laws of 1869, entitled 'An act to amend an act entitled An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850, passed April 17, 1869," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Longyear introduced a bill entitled "An act to protect salmon trout in Lake Awosting, otherwise called Long Pond, and brook trout in the Berkill, in the county of Ulster," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Mr. Smith introduced a bill entitled "An act relating to witnesses in criminal cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Fish moved that the bill entitled "An act in relation to cleaning the streets of the city of New York," be ordered printed.

Mr. Langbein moved to amend by adding after the words "New York," the following: "An act to provide for the revision of the laws relative to the administration of justices in the district courts in the city of New York."

Mr. Mitchell moved to further amend, by adding after the words "New York," last named, the following: "An act to provide for the revision of the laws relative to the administration of justice in the district courts in the city of New York."

Mr. Alvord moved that the original motion and amendments lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Alvord, and it was determined in the affirmative.

Mr. Smith offered a resolution in connection therewith, in the words following:



*Resolved*, That the committee on printing ascertain and report to this House, whether the printing of bills in their introduction, and before reported from committees, causes an additional expense, under the contract for legislative printing.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Hayes introduced a bill entitled "An act providing for reports of births, marriages and deaths, the registry of vital statistics, and the regulation of interments," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Leave of absence was granted to Mr. Gallagher until Monday.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Mitchell, Int. No. 24, entitled "An act to regulate the course of proceedings at the trial on a charge of felony, after a previous conviction for felony or petit larceny," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Lang, Int. No. 83, entitled "An act to regulate the execution, and transfer of negotiable instruments given for patent rights," reported in favor of the passage of the same, with amendments; which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. McFalls, Int. No. 31, entitled "An act to amend chapter 389 of the Laws of 1839, entitled 'An act to preserve the purity of elections,'" reported adversely thereto, which report was agreed to.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Neilson, Int. No. 54, entitled "An act to enable females to vote in incorporated villages in certain cases," reported adversely thereto.

The question being on agreeing to said report,

Mr. Strahan moved to lay said report on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Brill, Int. No. 84, entitled "An act to amend an act providing for appeals from the decisions of county superintendents of the poor, passed February 15, 1872," reported adversely thereto.

The question being on agreeing to said report,

Mr. Strahan moved to lay said report on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Gilbert, from the committee on railroads, to which was referred the bill introduced by Mr. Ruggles, Int. No. 72, entitled "An act to facilitate the construction of narrow gauge railroads, and to amend chapter 560 of the Laws of 1871, entitled 'An act to amend an act entitled An act to authorize the formation of railroad corporations and to regulate the same, passed April 2, 1850,' passed April 19, 1871," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Ruggles offered for the consideration of the House a resolution, in the words following :

*Resolved*, That the Clerk be and he is hereby instructed to cause all bills containing amendments to existing laws to be so printed that such amendments shall appear in Italics.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Ruggles offered for the consideration of the House a resolution, in the words following :

*Resolved*, That committees to which amendatory bills are referred be requested, in reporting them, to make the title conform to the following form : "An act to amend chapter — of the Laws of —, entitled 'An act, etc.'"

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Smith offered for the consideration of the House a resolution, in the words following :

*Resolved*, That the resolution to order printed extra copies of the communication from the Regents of the University, in relation to colleges, be referred to the committee on public printing, and that the subject-matter of such communication be referred to the committee on public education.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Spinola called from the table a resolution previously offered by him in the words following :

*Resolved*, That the committee on general laws be requested to prepare and report an act declaring it a felony, and punishable as such, for any trustee, executor, administrator, guardian, or other person acting in a fiduciary capacity, to embezzle, misapply or convert to his own use any money or property intrusted to him as such trustee, executor, administrator, guardian or agent.

Mr. Spinola offered as a substitute the following :

*Resolved*, That the committee on general laws be requested, if they shall deem it expedient, to prepare and report an act declaring it a felony, and punishable as such, for any trustee, executor, administrator, guardian, or other person, acting in such fiduciary capacity, to embezzle, misapply or convert to his own use any property intrusted to him as such trustee, executor, administrator, guardian or agent.

Mr. Hogeboom moved to amend said substitute by striking out the words "general laws," and inserting the word "judiciary."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Hogeboom, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said substitute, and it was determined in the affirmative.

Mr. Hodges offered for the consideration of the House a resolution, in the words following :

*Resolved*, That when this House adjourns to-day it adjourn to meet on Monday evening next at eight o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 68 }  
{ NOES 33 }

Those who voted in the affirmative, were

Barnes	Ecclesine	Longyear	H. H. Rockwell
Billington	Fay	Lyon	Ruggles
Bowen	Flecke	Maher	Sager
Bradley	Gilbert	Marvin	Santee
J. H. Brown	Grady	McFalls	Shanley
J. S. Brown	Gulick	McGroarty	Smith
Bulmer	Hamilton	Mitchell	Speaker
E. Case	Hammond	Moller	Stein
G. M. Case	Hayes	Moody	Stephenson
Corbett	M. Healy	Neilson	Stone
Coulter	Herrick	Noyes	Strahan
Cowdin	Herbst	O'Hare	Suydam
Crowley	Hogeboom	Orr	Tighe
Curran	Holahan	Peck	Valentine
Davenport	Humphrey	Piper	Wemple
Dillmeier	Husted	Proper	Wickes
Dimond	Keator	Rice	Winch

Those who voted in the negative, were

Alvord	Fish	Langbein	Shannon
Backenstose	Floyd-Jones	McGraw	Sheldon
Baker	Gere	Moore	Skinner
S. Baldwin	J. S. Graham	Morey	Spicer
M. L. Baldwin	Hepburn	Niven	Spinola
T. A. Case	Hodges	Potter	Taylor
Childs	King	Purdy	Welsh
Clapp	Lang	Sanders	Williams
Filkin			

The bill entitled "An act to amend section 73 of chapter 370 of the Laws of 1875, entitled 'An act to amend and consolidate the several acts relating to the city of Elmira,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Ecclesine	Marvin	Sager
Backenstose	Filkin	McFalls	Santee
Baker	Fish	McGraw	Shanley
S. Baldwin	Flecke	McGroarty	Shannon
M. L. Baldwin	Grady	McKee	Sheldon
Barnes	J. S. Graham	Mitchell	Skinner
Bissell	Gulick	Moody	Spicer
Bradley	Hammond	Morey	Stein
J. H. Brown	M. Healy	Neilson	Stephenson
J. S. Brown	Hepburn	Niven	Stone

Bulmer	Herbst	Noyes	Strahan
E. Case	Hodges	O'Hare	Suydam
G. M. Case	Hogeboom	Peck	Taylor
T. A. Case	Holahan	Piper	Thistlethwaite
Clapp	Humphrey	Post	Tighe
Corbett	Husted	Potter	Valentine
Coulter	Keator	Proper	Webb
Cowdin	Langbein	Purdy	Welsh
Crowley	Langner	Rice	Wemple
Curran	Longyear	H. H. Rockwell	Wickes
Davenport	Lyon	W. L. Rockwell	Williams
Dillmeier	Maher	Ruggles	Winch

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend section 2, chapter 104, Laws of 1864, entitled 'An act to amend an act entitled An act in relation to the Syracuse City Water-works Company,' passed March 31, 1864."

"An act in relation to treasurer's fees and per centages in Monroe county."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Hogeboom, from said committee, reported in favor of the passage of said first mentioned bill, with the title amended so as to read "An act to amend an act passed March 31, 1864, to amend an act entitled 'An act in relation to the Syracuse City Water-works Company,' passed April 5, 1849;" which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Hogeboom, from said committee, also reported in favor of the passage of said second mentioned bill; which report was agreed to, and said bill ordered engrossed for a third reading.

On motion of Mr. Bradley, at 12 o'clock and 20 minutes, the House adjourned.

## MONDAY, JANUARY 22, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Morse.

The journal of Friday, January 19, was read and approved.

Mr. Speaker presented a communication from the State printer in response to a resolution from the Assembly; which was laid on the table and ordered printed.

(*See Doc. No. 32.*)

Mr. Speaker presented the report of the New York Infant Asylum for the year ending December 31, 1876; which was laid on the table and ordered printed.

(*See Doc. No. 33.*)

Mr. Speaker presented the report of the Secretary of State in relation

to the census department; which was laid on the table and ordered printed.

(See Doc. No. 34.)

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to exempt Schoharie county from the provisions and operations of chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plank-roads and turn-pikes,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend chapter 399 of the Laws of 1871, entitled 'An act to authorize the village of Corning, Steuben county, to borrow money to construct water-works for said village,' passed April 11, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

The Senate returned the concurrent resolution relative to the election of Regents in the place of James W. Booth and George R. Perkins, with a message informing that they had passed the same.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to extend the powers of county judges when holding courts in other counties than their own," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to release the right, title and interest of the people of the State of New York in and to certain real estate, of which Thomas Dalton died seized, to William E. Duncan," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows:

"An act to legalize the official acts of the assessors of the village of Wellsville, Allegany county, and to extend the time for the collection of taxes therein."

*Ordered,* That the Clerk deliver said bill to the Governor.

Indefinite leave of absence was granted to Messrs. G. M. Case and Gulick.

Mr. Alvord moved a call of the roll, to ascertain if a quorum was present.

Mr. Speaker then ordered the Clerk to call the roll, when the following members answered to their names:

Alvord	Davenport	Lang	Sanders
Baker	Ecclesine	Langbein	Santee
S. Baldwin	Fay	Longyear	Shannon
M. L. Baldwin	Filkin	Maynard	Sheldon
Barnes	Fish	McFalls	Skillman
Billings	Floyd-Jones	McKee	Skinner
Bissell	Gallagher	Moller	Smith
Bradley	Gilbert	Moody	Speaker
Brick	Grady	Moore	Spicer
J. H. Brown	Hammond	Morey	Spinola
J. S. Brown	Hepburn	Neilson	Stein
Burns	Herrick	Noyes	Stephenson

E. Case	Herbst	Peck	Stone
T. A. Case	Hodges	Piper	Thistlethwaite
Childs	Hogeboom	Post	Valentine
Corsa	Holahan	Potter	Weiant
Coulter	Husted	W. L. Rockwell	Welsh
Cowdin	Keator	Ruggles	Wickes
Curran	King	Sager	Winch

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A quorum having answered to their names,

Mr. Speaker announced the order of business to be the introduction of bills by counties.

Mr. Post introduced a bill entitled "An act to compel railroad companies to provide and keep in repair snow ploughs," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. T. A. Case introduced a bill entitled "An act to amend section 29 of article 3, chapter 6, title 6, of part 1 of the Revised Statutes, relating to the compensation of electors of president and vice-president of the United States," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Maynard introduced a bill entitled "An act to amend section 55, of article 3; of chapter 8, of part second of the Revised Statutes, entitled 'Of divorces, dissolving the marriage contract,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Gallagher introduced a bill entitled "An act to provide for the appointment of an additional assistant district attorney for the county of Erie, and for his compensation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Taylor introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the Firemans' Benevolent Association of the village of Le Roy,' passed April 11, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. O'Hare introduced a bill entitled "An act to authorize a recovery at law for certain printing done for and stationery furnished to the boards of aldermen and assistant aldermen in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Langbein introduced a bill entitled "An act to repeal an act entitled 'An act to alter the map or plan of the city of New York by laying out thereon a parade ground and to authorize the taking of the same,' passed April 20, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Davenport introduced a bill entitled "An act to provide for the superintendent of the poor of the county of Otsego being keeper of the poor-house of said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Weiant introduced a bill entitled "An act to amend chapter 193 of the Laws of 1873, entitled 'An act making appropriations for certain expenses of government and supplying deficiencies in former appropria-

tions,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Baker introduced a bill entitled "An act in relation to the office of Superintendent of Public Works, and changing the mode of disbursements for account of the canals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. McKee presented a remonstrance of citizens and taxpayers of the town of German Flats, in Herkimer county, against the repeal of the act creating boards of town auditors; which was read and referred to the committee on internal affairs.

Mr. Floyd-Jones offered for the consideration of the House a resolution, in the words following:

*Resolved*, That all the papers on file relating to the bill now in the hands of the committee on civil divisions, to wit, the erection of a new county, to be called Nassau, shall be taken from the file by the Clerk, and placed in the hands of the aforesaid committee.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Fish offered for the consideration of the House a resolution, in the words following:

*Resolved*, That all life insurance companies of this State be directed to report to this House, within fifteen days, the amount of all money loaned on real estate, where such real estate is situated, when such loans were made, the amount of interest paid thereon from the date of said loans, and the amount of interest defaulted thereon.

By unanimous consent,

Mr. Spinola moved to amend said resolution by adding at the end thereof the following: "Also, what amount of counsel fees were paid to, or received by, the counsel of any such company upon each loan made."

Said resolution giving rise to debate,

*Ordered*, That the same be laid on the table.

Mr. Spinola offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the comptroller of the city and county of New York is hereby respectfully requested to furnish this House with a statement, showing the actual amount (as near as may be) of the debt of said city and county, with the different classes of bonds heretofore issued by said city and county, and the rate of interest of each issue. Also, the amount of property taxed in the years 1873, 1874, 1875, 1876 and 1877, with the rate of taxation for each year, together with the gross sums raised by tax in each of said years, as well as the specific purposes for which the same was appropriated.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The House resolved itself into a committee of the whole on the bills entitled as follows:

"An act to establish the compensation of the county judge and the surrogate of Washington county, pursuant to the fifteenth section of the amended sixth article of the Constitution."

"An act for the preservation of life at sea-bathing places."

"An act in relation to coroners' fees and post mortem examinations in Monroe county."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Spinola, from said committee, reported in favor of the passage of said first mentioned bill; which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Spinola, from said committee, also reported in favor of the passage of said second mentioned bill, with amendments, the title amended by striking out the word "sea;" which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Spinola, from said committee, also reported progress on said third mentioned bill, and asked leave to sit again.

The question being on granting leave,

Mr. Alvord moved to discharge the committee of the whole from further consideration of said bill and the same be referred to the committee on general laws retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to regulate the execution and transfer of negotiable instruments given for patent rights."

"An act establishing the salary of the deputy Comptroller and making appropriations for certain expenses of the government, and supplying deficiencies in former appropriations, for the fiscal year ending September 30, 1877."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Baker, from said committee, reported in favor of the passage of said first mentioned bill; which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Baker, from said committee, also reported progress on said second mentioned bill, and asked and obtained leave to sit again.

On motion of Mr. Spinola, at 10 o'clock, the House adjourned.

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## TUESDAY, JANUARY 23, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Kelly.

The journal of yesterday was read and approved.

The Senate returned the bill entitled as follows:

"An act to amend chapter 550 of the Laws of 1875, entitled 'An act authorizing the city of Schenectady to raise money for school purposes.'"

*Ordered*, That the Clerk deliver said bill to the Governor.

This being the day assigned by the rules for the consideration of general orders,

The House resolved itself into a committee of the whole on the bills entitled as follows:

"An act establishing the salary of the deputy Comptroller and making appropriations for certain expenses of the government, and supplying



deficiencies in former appropriations, for the fiscal year ending September 30, 1877."

"An act to facilitate the construction of narrow gauge railroads, and to amend chapter 560 of the Laws of 1871, entitled 'An act to amend an act entitled An act to authorize the formation of railroad corporations and to regulate the same, passed April 2, 1850,' passed April 19, 1871."

"An act to amend section 3 of chapter 267 of the Laws of 1872, entitled 'An act to establish the compensation of county judges and surrogates pursuant to the fifteenth section of the amended sixth article of the Constitution,' passed May 17, 1872."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Morey, from said committee, reported in favor of the passage of said first mentioned bill, with amendments; which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Morey, from said committee, also reported in favor of the passage of said second mentioned bill, with amendments.

The question being on agreeing to said report,

Mr. Weiant moved to amend said bill by striking out the word "five" and inserting in lieu thereof the word "three," in line 14, section 2, printed bill, the same having been offered in committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Weiant, and it was determined in the negative.

{ AYES 47 }  
{ NOES 62 }

Those who voted in the affirmative, were

Backenstose	Dillmeier	McGroarty	Spinola
Billings	Flecke	Mitchell	Stein
Bissell	Gallagher	Nachtmann	Stone
Bradley	Grady	Orr	Suydam
Brick	J. S. Graham	Proper	Taylor
Brill	Hamilton	Purdy	Tighe
Bulmer	M. Healy	W. L. Rockwell	Valentine
Burns	Hodges	Sager	Waddell
Corbett	Holahan	Sanders	Weiant
Cozans	Keator	Shanley	Wemple
Crowley	Langbein	Skillman	Wickes
Curran	Longyear	Spicer	

Those who voted in the negative, were

Alvord	Ecclesine	Marvin	Potter
Baker	Fay	Maynard	Ruggles
S. Baldwin	Fish	McFalls	Santee
M. L. Baldwin	Floyd-Jones	McGraw	Shannon
Barnes	Gilbert	McKee	Sheldon
Bowen	Hammond	Moller	Skinner
J. H. Brown	Hayes	Moody	Sliter
E. Case	Hepburn	Moore	Smith
T. A. Case	Herrick	Morey	Speaker
Childs	Herbst	Neilson	Stephenson
Clapp	Hogebloom	Noyes	Thistlethwaite
Corsa	Humphrey	O'Hare	Webb
Coulter	Husted	Peck	Welsh

Cowdin	King	Piper	Williams
Davenport	Lang	Post	Winch
Dimond	Langner		

When the name of Mr. Mitchell was called, he asked to be, and was not, excused from voting.

When the name of Mr. Webb was called, he asked to be, and was not, excused from voting.

Mr. Spinola moved to lay the report of the committee of the whole on the table.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Spinola, and it was determined in the negative.

{ AYES 38 }  
{ NOES 69 }

Those who voted in the affirmative, were

Backenstose	Cozans	Longyear	Shanley
Billings	Crowley	McGroarty	Spicer
Bissell	Curran	Mitchell	Spinola
Bradley	Dillmeier	Nachtmann	Stein
Brick	Flecke	Orr	Taylor
Brill	Grady	Proper	Tighe
Bulmer	J. S. Graham	Pardy	Valentine
Burns	Hodges	Sager	Weiant
Childs	Holahan	Sanders	Wemple
Corbett	Keator		

Those who voted in the negative, were

Alvord	Fish	Maynard	Santee
Baker	Floyd-Jones	McFalls	Shannon
S. Baldwin	Gallagher	McGraw	Shanley
M. L. Baldwin	Gilbert	McKee	Skinner
Barnes	Hammond	Moller	Sliter
Bowen	M. Healy	Moody	Smith
J. H. Brown	Hepburn	Moore	Speaker
E. Case	Herrick	Morey	Stephenson
T. A. Case	Herbst	Neilson	Stone
Clapp	Hogeboom	Noyes	Suydam
Corsa	Humphrey	O'Hare	Thistlethwaite
Coulter	Husted	Peck	Waddell
Cowdin	King	Piper	Webb
Davenport	Lang	Post	Welsh
Dimond	Langbein	Potter	Wickes
Ecclesine	Langner	W. L. Rockwell	Williams
Fay	Marvin	Ruggles	Winch
Filkin			

Mr. Speaker then put the question whether the House would agree to the report of the committee of the whole, and it was determined in the affirmative.

Said bill was ordered engrossed for a third reading.

Mr. Morey, from said committee, also reported in favor of the passage of said third mentioned bill, with amendments; which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Husted offered for the consideration of the House a resolution, in the words following :

*Resolved*, That the use of the Assembly Chamber be given to the New York State Military Association on Wednesday evening January 24.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Gilbert moved to reconsider the vote by which Mr. J. S. Brown was excused from serving as chairman of the committee on game laws.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would grant said request of Mr. J. S. Brown, and it was determined in the negative.

Mr. Speaker announced the appointment of William N. Haskell as Speaker's clerk, to date from January 12, 1877.

Mr. Grady offered for the consideration of the House a resolution, in the words following :

*Whereas*, Death has again visited this Chamber, removing from among us the Hon. James Healey, Member of Assembly from the First district of the county of New York ; and

*Whereas*, In the decease of our late associate we are called upon to mourn the loss of one who had proven himself a capable, honest and industrious public servant ; and

*Whereas*, It is fitting that we should give expression to our sense of the great bereavement which, in common with his family and constituency, we have sustained in his early demise ; therefore,

*Resolved*, That while humbly accepting the decree of our Heavenly Father, and bowing in submission to his will, we bear willing testimony to the worth of our late associate, who during life had ever faithfully discharged the public trusts so often confided to his care by his fellow citizens.

*Resolved*, That we tender to the family of our departed friend the assurances of our profound sympathy in their deep affliction, and in commending them to the love and care of the Protector of the widow and orphan, offer them the consolation of the divine promise of a blessed immortality vouchsafed to those who in this life obeyed His holy ordinances.

*Resolved*, That in token of respect to the memory of our late associate, the usual badge of mourning be worn by the members during the remainder of the session.

*Resolved*, That the Clerk of this House transmit a copy, of these resolutions, suitably engrossed, to the family of the deceased.

Mr. Speaker put the question whether the House would agree to said resolutions, and it was determined in the affirmative.

Mr. Grady further moved, as a mark of respect, that the House adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon, at 1 o'clock and 45 minutes, the House adjourned.

## WEDNESDAY, JANUARY 24, 1877.

The House met pursuant to adjournment.

No clergyman present.

The journal of yesterday was read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to divide the Third and Seventh wards of the city of Utica, and to create the Eleventh and Twelfth wards therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to amend chapter 183 of the Laws of 1847, entitled 'An act authorizing the incorporation of rural cemetery associations,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act reappropriating money to pay drafts, heretofore drawn by the Canal Commissioner," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act to amend chapter 613 of the Laws of 1875, entitled 'An act to authorize the formation of corporations for the safe keeping and guaranteeing of personal property,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Speaker announced the following appointments:

Burton Hammond, clerk to committee on commerce and navigation, in place of Edwin T. Gale; Edwin T. Gale, messenger to committee on commerce and navigation, in place of Joseph A. Stratton; Joseph A. Stratton, messenger to committees on roads and bridges, and affairs of villages, in place of Burton Hammond.

Mr. Herrick introduced a bill entitled "An act to amend chapter 800 of the Session Laws of 1866, relative to the taking of lands for the erection of school-houses or making additions thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Moody introduced a bill entitled "An act making an appropriation for the payment of the salary and expenses of Ransom Balcom, one of the justices of the Supreme Court, for one year ending December 31, 1877," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Williams introduced a bill entitled "An act to provide for the election of an additional justice of the peace in the town of Harmony, in the county of Chautauqua," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to provide for the election of an additional

constable in the town of Harmony, in the county of Chautauqua," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. H. H. Rockwell introduced a bill entitled "An act to amend the act entitled 'An act in relation to the common schools in the city of Elmira,' passed April 4, 1859," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Bowen introduced a bill entitled "An act to amend chapter 820 of the Laws of 1873, entitled 'An act to amend an act entitled An act to suppress intemperance, and to regulate the sale of intoxicating liquors, passed April 16, 1857,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, a bill entitled "An act in relation to the fees of school district tax collectors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Webb introduced a bill entitled "An act to amend chapter 69 of the Laws of 1847, entitled 'An act concerning the pilots of the channel of the East river, commonly called Hell Gate,' passed April 15, 1847, and the various acts amendatory thereof, passed March 12, 1860, March 14, 1865, April 16, 1868, and April 5, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Hammond introduced a bill entitled "An act to amend section 8 of chapter 463 of the Laws of 1853, in relation to life and health insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Orr introduced a bill entitled "An act to decrease the number of assessors in the town of Aurora, county of Erie, and to determine the term of office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, a petition on the same subject, which was read and referred to the same committee.

Mr. Tabor introduced a bill entitled "An act providing for the publication of legal notices in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to confirm the proceedings taken by the common council of the city of Buffalo, to clean the sewer in Wadsworth street, between Hudson and Pennsylvania streets, in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Bradley introduced a bill entitled "An act to regulate the salaries of the various executive, administrative and judicial officers and employes of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

On motion of Mr. Bradley, and by unanimous consent, said bill was ordered printed.

Mr. Marvin introduced a bill entitled "An act to confer on boards of

supervisors further powers of local legislation and administration," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. O'Hare introduced a bill entitled "An act for the better protection of human life on railways, steam vessels and shipping, and in the cities of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Mr. Flecke introduced a bill entitled "An act to abolish the department of public parks in the city of New York and to transfer its duties and powers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

On motion of Mr. Flecke, and by unanimous consent, said bill was ordered printed.

Mr. Ecclesine introduced a bill entitled "An act to amend the charter of the City Fire Insurance Company of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Cozans introduced a bill entitled "An act regulating the practice in the surrogate's court of the county of New York respecting testimony taken in contested matters, and as to the issue of letters of guardianship to testamentary guardians," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to authorize the clerk to the surrogate's court of the county of New York to sign any of the records of said court; to sign and issue any order to show cause where no injunction or stay of proceedings is granted thereby, and to sign, issue and enter any and all orders and decrees on consent of parties in interest of their attorneys," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Langbein introduced a bill entitled "An act to confirm the title of certain lands conveyed to Josefa M. Mora, an alien," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

Mr. Corsa introduced a bill entitled "An act to provide for the completion of the court-house in the third judicial district in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Cowdin introduced a bill entitled "An act fixing the rate of interest for the loan or forbearance of money, goods or things in action," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Strahan introduced a bill entitled "An act in relation to the selling of what are commonly called pools, and to the registering of bets and wagers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a petition on the same subject, which was read and referred to the same committee.

Mr. Stein introduced a bill entitled "An act to amend section 1 of chapter 638 of the Laws of 1867, entitled 'An act authorizing the New

*York Society for the Relief of the Ruptured and Crippled* to hold real and personal estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Bissell introduced a bill entitled "An act additional to chapter 310 of the Laws of 1872, entitled 'An act to amend an act relating to the rates of wharfrage on canal boats and to regulate piers, wharves, bulkheads and slips in the cities of New York and Brooklyn,' passed May 6, 1870," which was read the first time, and by unanimous consent was also read the second time, when

Mr. Bissell moved that said bill be referred to the committee on canals.

Mr. Cozans moved to amend by striking out the word "canals" and inserting in lieu thereof the words "commerce and navigation."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Cozans, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Bissell, as amended, and it was determined in the affirmative.

Mr. Stone introduced a bill entitled "An act to provide for the appointment of assessors and town auditors for the city of Rome," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, petitions on the same subject, which were read and referred to the same committee.

Mr. Fish introduced a bill entitled "An act relating to the local government of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

On motion of Mr. Fish, and by unanimous consent, said bill was ordered printed.

Also, a bill entitled "An act to amend chapter 742 of the Laws of 1871, entitled 'An act in relation to storage and the keeping of combustible material in the city of New York, the use and control of the fire alarm telegraph, the incumbrance of hydrants, and other purposes connected with the prevention and extinguishment of fires therein, and imposing certain powers and duties upon the board of fire commissioners of said city,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

On motion of Mr. Spinola, and by unanimous consent, said bill was ordered printed.

Mr. Childs introduced a bill entitled "An act to legalize and confirm the official acts of J. Marshall Guion, a justice of the peace in the town of Seneca Falls, in the county of Seneca, and to enable him to take and file his oath of office," which was read the first time, and by unanimous consent was also read the second time, when

On motion of Mr. Childs, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 102 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curran	Lyon	Sager
Backeustose	Davenport	Maher	Sanders
Baker	Dillmeier	Marvin	Santee
S. Baldwin	Dimond	McFalls	Shanley
M. L. Baldwin	Ecclesine	McGraw	Shannon
Barnes	Fay	McGroarty	Skillman
Billings	Fish	McKee	Skinner
Billington	Flecke	Moller	Sliter
Bissell	Floyd-Jones	Moody	Spicer
Bowen	Gallagher	Moore	Stein
Bradley	Grady	Morey	Stephenson
Brick	J. G. Graham	Nachtmann	Stone
Brill	Gulick	Neilson	Strahan
J. H. Brown	Hammond	Niven	Suydam
J. S. Brown	Hayes	Noyes	Tabor
Bulmer	Hepburn	O'Hare	Taylor
Burns	Herrick	Orr	Thistlethwaite
E. Case	Hodges	Peck	Tighe
T. A. Case	Hogeboom	Piper	Valentine
Childs	Holahan	Post	Waddell
Clapp	Humphrey	Potter	Weiant
Corbett	Keator	Proper	Welsh
Coulter	Lang	H. H. Rockwell	Wemple
Cowdin	Langbein	W. L. Rockwell	Williams
Cozans	Langner	Ruggles	Winch
Crowley	Longyear		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Baker introduced a bill entitled "An act in relation to the compensation of executors, administrators and trustees," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Moller introduced a bill entitled "An act to amend chapter 210 of the Laws of 1867, entitled 'An act to incorporate Washington Fire Engine Company No. 1, in the town of East Chester, county of Westchester,' passed March 30, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Maynard introduced a bill entitled "An act regulating the compensation of town officers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, a bill entitled "An act to provide for the appointment of special surrogates," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Waddell introduced a bill entitled "An act to amend chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plank-roads and turnpikes,'" which was read



York Society for the Relief of the Ruptured and Crippled to hold real and personal estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Bissell introduced a bill entitled "An act additional to chapter 370 of the Laws of 1872, entitled 'An act to amend an act relating to the rates of wharfage on canal boats and to regulate piers, wharves, bulk-heads and slips in the cities of New York and Brooklyn,' passed May 6, 1870," which was read the first time, and by unanimous consent was also read the second time, when

Mr. Bissell moved that said bill be referred to the committee on canals.

Mr. Cozans moved to amend by striking out the word "canals" and inserting in lieu thereof the words "commerce and navigation."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Cozans, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Bissell, as amended, and it was determined in the affirmative.

Mr. Stone introduced a bill entitled "An act to provide for the appointment of assessors and town auditors for the city of Rome," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, petitions on the same subject, which were read and referred to the same committee.

Mr. Fish introduced a bill entitled "An act relating to the local government of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

On motion of Mr. Fish, and by unanimous consent, said bill was ordered printed.

Also, a bill entitled "An act to amend chapter 742 of the Laws of 1871, entitled 'An act in relation to storage and the keeping of combustible material in the city of New York, the use and control of the fire alarm telegraph, the incumbrance of hydrants, and other purposes connected with the prevention and extinguishment of fires therein, and imposing certain powers and duties upon the board of fire commissioners of said city,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

On motion of Mr. Spinola, and by unanimous consent, said bill was ordered printed.

Mr. Childs introduced a bill entitled "An act to legalize and confirm the official acts of J. Marshall Guion, a justice of the peace in the town of Seneca Falls, in the county of Seneca, and to enable him to take and file his oath of office," which was read the first time, and by unanimous consent was also read the second time, when

On motion of Mr. Childs, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 102 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curran	Lyon	Sager
Backeustose	Davenport	Maher	Sanders
Baker	Dillmeier	Marvin	Santee
S. Baldwin	Dimond	McFalls	Shanley
M. L. Baldwin	Ecclesine	McGraw	Shannon
Barnes	Fay	McGroarty	Skillman
Billings	Fish	McKee	Skinuer
Billington	Flecke	Moller	Sliter
Bissell	Floyd-Jones	Moody	Spicer
Bowen	Gallagher	Moore	Stein
Bradley	Grady	Morey	Stephenson
Brick	J. G. Graham	Nachtmann	Stone
Brill	Gulick	Neilson	Strahan
J. H. Brown	Hammond	Niven	Suydam
J. S. Brown	Hayes	Noyes	Tabor
Bulmer	Hepburn	O'Hare	Taylor
Burns	Herrick	Orr	Thistlethwaite
E. Case	Hodges	Peck	Tighe
T. A. Case	Hogeboom	Piper	Valentine
Childs	Holahan	Post	Waddell
Clapp	Humphrey	Potter	Weiant
Corbett	Keator	Proper	Welsh
Coulter	Lang	H. H. Rockwell	Wemple
Cowdin	Langbein	W. L. Rockwell	Williams
Cozans	Langner	Ruggles	Winch
Crowley	Longyear		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Baker introduced a bill entitled "An act in relation to the compensation of executors, administrators and trustees," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Moller introduced a bill entitled "An act to amend chapter 210 of the Laws of 1867, entitled 'An act to incorporate Washington Fire Engine Company No. 1, in the town of East Chester, county of Westchester,' passed March 30, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Maynard introduced a bill entitled "An act regulating the compensation of town officers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, a bill entitled "An act to provide for the appointment of special surrogates," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Waddell introduced a bill entitled "An act to amend chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plank-roads and turnpikes,'" which was read

the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

On motion of Mr. Corsa, and by unanimous consent, the bill entitled "An act to amend section 7, of chapter 633 of the Laws of 1866, entitled 'An act in relation to the benevolent fund of the late volunteer fire department in the city of New York,' passed April 17, 1866, as amended by chapter 962 of the Laws of 1867, and as further amended by chapter 297 of the Laws of 1870," was ordered printed.

Mr. Noyes introduced a bill entitled "An act to provide for the organization and regulation of co-operative store companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Dimond presented a petition of the Taxpayers Association of New York city of Twentieth and Twenty-second wards, relative to taxes and assessments being payable at eight per cent interest for one year; which was read and referred to the committee on affairs of cities.

Mr. Cowdin presented a petition of citizens of New York city for repeal of the usury laws; which was read and referred to the committee on ways and means.

Mr. McFalls presented a petition of 77 citizens of St. Lawrence county, for the removal of certain restrictions upon fishing with nets in St. Lawrence river; which was read and referred to the committee on game laws.

Mr. Suydam presented a petition of property owners against the North Second street widening, and for relief in repeal of chapter 559 of Laws of 1871; which was read and referred to the committee on affairs of cities.

Mr. Williams presented petitions of citizens of town of Harmony, county of Chautauqua, for an act providing for the election of an additional justice of the peace and constable for said town; which were read and referred to the committee on the judiciary.

Mr. Santee presented a petition of residents of Steuben county relating to plank-roads; which was read and referred to the committee on roads and bridges.

Mr. Welsh, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend an act entitled 'An act to incorporate the city of Binghamton,' passed April 9, 1867, and the acts amendatory of the same."

"An act to extend the powers of county judges when holding courts in other counties than their own."

"An act to amend an act passed March 31, 1864, to amend an act entitled 'An act in relation to the Syracuse Water-works Company,' passed April 5, 1849."

"An act in relation to treasurer's fees and per centages in Monroe county."

"An act to establish the compensation of the county judge and the surrogate of Washington county, pursuant to the fifteenth section of the amended sixth article of the Constitution."

"An act for the preservation of life at bathing places."

"An act to regulate the execution and transfer of negotiable instruments given for patent rights."

Mr. Brill offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the bill entitled "An act to amend an act relative to

superintendents of the poor," which was reported adversely from the judiciary committee, and laid on the table, be taken from the table.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Brill then moved to recommit said bill to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Baker, from the committee on canals, reported a bill entitled "An act to authorize a tax of one-third of a mill per dollar of valuation to provide for a deficiency in the Sinking Fund, under section 3 of article 7 of the Constitution," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Baker, from the committee on canals, reported a bill entitled "An act making appropriations for the payment of the principal and the interest of the canal debt for the fiscal year commencing on the first day October, 1877, and to provide for the payment of the principal and interest of the debt contracted under section 12 of article 7 of the Constitution," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. J. G. Graham, from the committee on insurance, to which was referred the bill introduced by Mr Webb, Int. No. 20, entitled "An act to amend chapter 617 of the Laws of 1873, entitled 'An act regulating the deposit of securities by plate glass insurance companies,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr Taylor, Int. No. 162, entitled "An act to amend an act entitled 'An act to incorporate the Fireman's Benevolent Association of the village of Le Roy,' passed April 11, 1853," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Baker, Int. No. 3, entitled "An act to legalize the action of the village of Whitehall," reported in favor of the passage of the same, with amendments; which report was agreed to, and said bill committed to the committee of the whole.

Mr. Noyes, from the committee on affairs of villages, to which was referred the Senate bill, Int. No. 7, entitled "An act to amend chapter 399 of the Laws of 1871, entitled 'An act to authorize the village of Corning, Steuben county, to borrow money to construct water works for said village,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on printing, to which was referred the resolution instructing said committee to inquire and report to the House as to the cost of printing 1,500 additional copies of the list of standing committees of the Assembly, reported that 1,500 additional copies of said standing committees would cost, according to the committee's version of the contract with the State printer, the sum of ten dollars and fifty cents; and further reported in favor of the adoption of the following resolution:

*Resolved*, That there be ordered, for the use of the Assembly, 1,500

extra copies of the list of standing committees of the Assembly, at a cost not to exceed ten dollars and fifty cents.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 93 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crowley	Langbein	Potter
Backenstose	Curran	Langner	H. H. Rockwell
Baker	Davenport	Longyear	W. L. Rockwell
S. Baldwin	Dillmeier	Lyon	Ruggles
M. L. Baldwin	Dimond	Maher	Sager
Barnes	Fish	Marvin	Sanders
Billings	Flecke	Maynard	Santee
Billington	Floyd-Jones	McFalls	Shanley
Bissell	Gallagher	McGraw	Shannon
Bowen	Gilbert	McGroarty	Skinner
Bradley	Grady	McKee	Stone
Brick	Gulick	Mitchell	Strahan
Brill	Hamilton	Moller	Suydam
J. H. Brown	Hammond	Moody	Thistlethwaite
J. S. Brown	Hayes	Moore	Tighe
Burns	Hepburn	Morey	Valentine
E. Case	Herbst	Neilson	Waddell
T. A. Case	Hodges	Niven	Webb
Childs	Holahan	Noyes	Weiant
Corbett	Humphrey	O'Hare	Wemple
Corsa	Keator	Peck	Williams
Coulter	King	Piper	Winch
Cowdin	Lang	Post	
Cozans			

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill entitled "An act authorizing the board of supervisors of the county of Albany to issue bonds to pay a portion of the bonds of said county that will mature during the year 1877," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Billings, from the committee on expenditures of the House, to which was referred the resolution of Mr. Alvord, relative to the appointment of a clerk and messenger to the committee on apportionment, reported in favor of the adoption of the following resolution:

*Whereas*, The committee on apportionment will, during its sessions, for the proper discharge of its duties, and as well the economic facilitation of business, require a clerk and messenger; be it therefore

*Resolved*, That David Hall is hereby appointed clerk, and Valentine Bahn, messenger of said committee, the same compensation to be paid them respectively, as the clerk and messenger of the committee on ways and means.

Mr. Purdy moved to amend said report, by striking out the name of "Valentine Bahn," and inserting in lieu thereof the name of "Charles A. Pavie."

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Purdy, and it was determined in the negative.

{ AYES 35 }  
{ NOES 77 }

Those who voted in the affirmative, were

Bradley	Davenport	Langner	Purdy
Brick	Dimond	Longyear	Shanley
Brill	Ecclesine	Lyon	Sliter
Bulmer	Floyd-Jones	Maher	Spinola
Childs	Grady	Maynard	Stein
Corsa	Hamilton	Mitchell	Suydam
Coulter	Healy	Nachtmann	Tabor
Cozans	Holahan	Neilson	Tighe
Crowley	Humphrey	O'Hare	

Those who voted in the negative, were

Alvord	Fish	McKee	Shannon
Backenstose	Flecke	Moller	Sheldon
Baker	Gilbert	Moody	Skinner
S. Baldwin	J. G. Graham	Moore	Speaker
M. L. Baldwin	Gulick	Morey	Spicer
Barnes	Hammond	Niven	Stephenson
Billings	Hayes	Noyes	Stone
Billington	Hepburn	Orr	Strahan
Bowen	Herrick	Peck	Taylor
J. H. Brown	Herbst	Piper	Thistlethwaite
J. S. Brown	Hodges	Post	Valentine
Burns	Hogeboom	Potter	Waddell
E. Case	Husted	Proper	Webb
T. A. Case]	King	H. H. Rockwell	Weiant
Clapp	Lang	W. L. Rockwell	Welsh
Corbett	Langbein	Ruggles	Wemple
Cowdin	McFalls	Sager	Wickes
Curran	McGraw	Sanders	Williams
Dillmeier	McGroarty	Santee	Winch
Fay			

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 100 }  
{ NOES 5 }

Those who voted in the affirmative, were

Alvord	Curran	Langbein	Sager
Backenstose	Dillmeier	Lyon	Sanders
Baker	Dimond	Maynard	Santee
S. Baldwin	Fay	McFalls	Shanley

M. L. Baldwin	Fish	McGraw	Shannon
Barnes	Flecke	McGroarty	Sheldon
Billings	Floyd-Jones	McKee	Skinner
Billington	Gilbert	Mitchell	Speaker
Bissell	Grady	Moller	Spicer
Bowen	J. G. Graham	Moody	Stein
Bradley	Gulick	Moore	Stephenson
Brill	Hamilton	Morey	Stone
J. H. Brown	Hammond	Neilson	Strahan
J. S. Brown	Hayes	Niyeu	Suydam
Bulmer	Hepburn	Noyes	Taylor
Burns	Herrick	O'Hare	Thistlethwaite
E. Case	Herbst	Orr	Tighe
T. A. Case	Hodges	Peck	Valentine
Childs	Hogeboom	Piper	Waddell
Clapp	Holahan	Post	Webb
Corbett	Humphrey	Potter	Welsh
Corsa	Husted	Proper	Wemple
Cowdin	Keator	H. H. Rockwell	Wickes
Cozans	King	W. L. Rockwell	Williams
Crowley	Lang	Ruggles	Winch

Those who voted in the negative, were

Coulter	Ecclesine	Nachtmann	Spinola
Davenport			

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Sanders, Int. No. 47, entitled "An act to enable the town of Duanesburg, Schenectady county, to issue bonds to pay debts incurred under the provisions of chapter 64, Laws of 1856, and chapter 401, Laws of 1857," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Leave of absence was granted to Mr. Gere until Friday next.

Mr. Baker offered for the consideration of the House a resolution, in the words following :

*Resolved*, That 500 copies of the Auditor's report of tolls, trade and tonnage of the canals for 1876 be printed for the use of the Assembly, and that 400 copies of same report be printed for the use of the Auditor.

*Resolved*, That said report be printed forthwith.

By unanimous consent,

Mr. Baker moved that said resolutions be adopted.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Fish	Maynard	Ruggles
Backenstose	Flecke	McFalls	Sager
Baker	Gallagher	McGraw	Santee
M. L. Baldwin	Gilbert	McGroarty	Shanley
Barnes	Grady	McKee	Shannon
Billington	J. G. Graham	Moller	Skillman

Bissell	Gulick	Moody	Skinner
Bowen	Hammond	Moore	Spicer
Bradley	Hayes	Morey	Spinola
J. H. Brown	Hepburn	Neilson	Stein
E. Case	Herrick	Niven	Stephenson
T. A. Case	Herbst	Noyes	Stone
Corbett	Hodges	O'Hare	Strahan
Corsa	Holahan	Orr	Taylor
Coulter	Humphrey	Peck	Thistlethwaite
Cowdin	Keator	Piper	Valentine
Crowley	King	Post	Webb
Curran	Langbein	Potter	Weiant
Davenport	Langner	Purdy	Williams
Dillmeier	Lyon	H. H. Rockwell	Winch
Fay	Maher	W. L. Rockwell	

Mr. Hepburn offered for the consideration of the House a resolution, in the words following :

*Whereas*, Harmony and propriety of arrangement and appointment are of the utmost importance at all times and under all circumstances ; and

*Whereas*, The appointments of the Assembly Chamber require readjusting, in order to conform to the "eternal fitness of things," therefore

*Resolved*, That the sargeant-at-arms be instructed to remove the "spread eagle" from the rear of the clerk's desk, and cause the same to be prominently suspended over the corner of the Assembly Chamber at the Speaker's left.

Said resolution giving rise to debate,

*Ordered*, That the same be laid on the table.

Mr. Fish called from the table a resolution previously offered by him in the words following :

*Resolved*, That all life insurance companies of this State be directed to report to this House, within fifteen days, the amount of all money loaned on real estate, where such real estate is situated, when such loans were made, the amount of interest paid thereon from the date of said loans, and the amount of interest defaulted thereon.

Mr. Spinola moved to amend by adding at the end of said resolution, the following :

"Also, what amount of counsel fees were paid to, or received by, the counsel of any such company upon each loan made."

Mr. Husted moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Spinola, and it was determined in the affirmative.

{ AYES 99 {  
{ NOES 6 {

Those who voted in the affirmative, were

Alvord	Fish	Maynard	Santee
Backenstose	Flecke	McFalls	Shanley
Baker	Floyd-Jones	McGraw	Shannon
S. Baldwin	Gallagher	McGroarty	Sheldon
M. L. Baldwin	Gilbert	McKee	Skillman



Barnes	J. G. Graham	Mitchell	Skinner
Billings	Gulick	Moller	Sliter
Bissell	Hamilton	Moody	Speaker
Bradley	Hammond	Moore	Spicer
Brick	Hayes	Morey	Spinola
Brill	Hepburn	Nachtmann	Stein
J. H. Brown	Herbst	Neilson	Stephenson
Bulmer	Hodges	Niven	Stone
Burns	Hogeboom	Noyes	Strahan
T. A. Case	Holahan	Orr	Snydam
Childs	Humphrey	Peck	Taylor
Clapp	Husted	Post	Thistlethwaite
Corbett	Keator	Potter	Valentine
Corsa	King	Proper	Webb
Coulter	Lang	Purdy	Welsh
Cowdin	Langbein	H. H. Rockwell	Wemple
Curran	Langner	W. L. Rockwell	Wickes
Davenport	Longyear	Ruggles	Williams
Dillmeier	Maher	Sager	Winch
Fay	Marvin	Sanders	

Those who voted in the negative, were

Cozans	Grady	O'Hare	Piper
Ecclesine	Healy		

Mr. Speaker then put the question whether the House would agree to said resolution, as amended, and it was determined in the affirmative.

Mr. J. G. Graham offered for the consideration of the House a resolution, in the words following:

*Resolved*, That 1,000 extra copies of the report of the State Homœopathic Asylum for the Insane at Middletown, be printed for the use of the trustees of the asylum, and 500 for the use of the Legislature.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Langbein offered for the consideration of the House resolutions, in the words following:

*Resolved* (if the Senate concur), That article 6, of the Constitution, be amended by the addition of the following section:

§ 29. On the 1st day of January, 1879, the Court of Common Pleas for the city and county of New York, and the Superior Court of the city of New York, shall cease to exist, and all the jurisdiction of said courts shall vest in, and all the judges of said courts then in office shall become justices of the Supreme Court; and any judicial power in civil and criminal cases, and any judicial power as a county judge, and other special authority and jurisdiction now vested in any or either of the judges of either of said courts shall vest in the justices of the Supreme Court for the First Department, to be exercised in such manner and under such limitations as the Legislature may prescribe, or so long as the Legislature shall not have acted, then in such manner and under such limitations and regulations as the General Term for such First Department shall from time to time prescribe; and thereupon the judges so transferred shall hold their places for the remainder of the respective terms for which they shall have been chosen or appointed, and suits, actions, appeals, motions and proceedings, then pending in the courts so abolished,

shall be and become immediately transferred to the Supreme Court for the First Department, without prejudice to any undertaking, bond, pleading, deposition, or other entry or proceeding previously had therein; and, thereafter, there shall be seventeen justices of the Supreme Court for the First Department (which shall consist of the city and county of New York), chosen or appointed as provided by the Constitution of this State, and the salaries of all said justices, except five, shall be provided for and paid by the city of New York. The General Term of the First Department shall hereafter consist of five justices, of whom three may constitute a quorum, all of whom shall be designated in the manner in which General Term justices are now, or shall hereafter be, authorized by law to be designated.

*Resolved* (if the Senate concur), That the foregoing amendment be referred to the Legislature, to be chosen at the next general election of Senators, and that in conformity to section 1 of article 13 of the Constitution, it be published for the three months previous to the time of such election.

Said resolution being concurrent,

*Ordered*, That the same be laid on the table.

Mr. Hayes offered for the consideration of the House a resolution, in the words following:

*Whereas*, Large sums of money have been expended on the incomplete building known as the New Capitol; and

*Whereas*, The greater part of these sums have been expended in accordance with plans and specifications generally acceptable to the people of the State; but during the past year such changes have been made in these plans and specifications as to involve a greatly increased expenditure, and absolutely to destroy the symmetry of the structure; therefore

*Resolved*, That the committee on ways and means be instructed to inquire into, and to report to this House as early as practicable, whether some measures may not be adopted, by which the present proposed changes of design may be arrested, and the construction of a building without architectural unity be prevented.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Tighe offered for the consideration of the House a resolution, in the words following:

*Resolved* (if the Senate concur), That section six of article six of the Constitution be amended so that it shall read as follows:

§ 6. There shall be one existing Supreme Court with general jurisdiction in law and equity, subject to such appellate jurisdiction of the Court of Appeals as now is or may be prescribed by law; and it shall be composed of the justices now in office, with two additional justices, to be elected as hereinafter provided, who shall be continued during their respective terms and of their successors. The existing judicial districts of the State are continued until changed pursuant to this section. Five of the justices shall reside in the district in which is the city of New York, six in the second judicial district, five in the third judicial district, and four in each of the other districts. The Legislature may alter the districts without increasing the number, once after every enumeration, under this Constitution, of the inhabitants of the State.

*Resolved* (if the Senate concur), That said amendment to said section six be referred to the Legislature to be chosen at the next general elec-

tion of senators; and that, pursuant to section one of article thirteen of the Constitution, it be published for three months previous to the time of such election.

Said resolution being concurrent,

*Ordered*, That the same be laid on the table.

Mr. Post offered for the consideration of the House a resolution, in the words following:

*Whereas*, Grave legal and constitutional questions have arisen as to the proper method of determining the result of the late presidential election; and

*Whereas*, It is of great importance to the nation that those questions should be justly and speedily settled; therefore, be it

*Resolved* (if the Senate concur), That we approve the plan of the joint committee of the two houses of the Congress of the United States, as proposed in the bill known as "a bill to provide for and regulate the counting of votes for president, and vice-president and the decision of questions arising thereon, for the term commencing March 4, Anno Domini, 1877."

Said resolution being concurrent,

*Ordered*, That the same be laid on the table.

On motion of Mr. Post, and by unanimous consent, said resolution was ordered printed.

By unanimous consent,

Mr. Billings, from the committee on expenditures of the House, to which was referred the resolution presented by Mr. J. G. Graham, relative to the appointment of a clerk and messenger for the committee on general laws, reported in favor of the following resolution:

*Whereas*, The committee on general laws will, during the sessions, for the proper discharge of its duties, and as well the economic facilitation of business, require a clerk and messenger.

*Resolved*, That Chauncey G. Varney be and he is hereby appointed clerk to the committee on general laws, with the same compensation as the clerk of the committee on the judiciary; also, that Levi S. Noyes be appointed messenger to the said committee, at the compensation of three dollars per day.

Mr. Purdy moved to amend by striking out the name of "Levi S. Noyes" and inserting in lieu thereof "Charles A. Pavie."

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Purdy, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 65 }  
{ NOES 37 }

Those who voted in the affirmative, were

Alvord	Fay	Marvin	Santee
Backenstose	Fish	Maynard	Shannon
Baker	Flecke	McFalls	Sheldon
S. Baldwin	Gallagher	McGraw	Skillman
M. L. Baldwin	Gilbert	McKee	Skinner

Barnes	J. G. Graham	Moller	Spicer
Billings	Gulick	Moody	Stephenson
Billington	Hammond	Moore	Stone
Bissell	Hepburn	Morey	Taylor
Brick	Herbst	Noyes	Thistlethwaite
E. Case	Hogeboom	O'Hare	Valentine
T. A. Case	Husted	Orr	Webb
Clapp	Keator	Peck	Welsh
Corbett	King	Post	Wickes
Corsa	Lang	Potter	Williams
Cowdin	Langbein	W. L. Rockwell	Winch
Davenport			

Those who voted in the negative, were

Bradley	Floyd-Jones	Maher	Sanders
Brill	Grady	Nachtmann	Shanley
J. S. Brown	Hamilton	Niven	Sliter
Bulmer	Herrick	Piper	Spinola
Burns	Hodges	Proper	Stein
Childs	Holahan	Purdy	Suydam
Coulter	Humphrey	H. H. Rockwell	Tighe
Cozans	Longyear	Ruggles	Weiant
Dillmeier	Lyon	Sager	Wemple
Ecclesine			

The hour of 2 o'clock having arrived, the House adjourned.

## THURSDAY, JANUARY 25, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Smart.

The journal of yesterday was read and approved.

By unanimous consent,

Mr. Husted moved that the joint rules of 1876 be the joint rules on the part of the Assembly for the session of 1877, and that said rules be referred to the committee on rules.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Indefinite leave of absence was granted to Messrs. Smith, Clark, Herbst and Orr.

This being the day assigned by the rules for the consideration of general orders,

The House resolved itself into a committee of the whole on the bills entitled as follows:

"An act for the relief of James R. Davies, William P. Mitchell, Michael Cregan, Henry G. Leask, John E. McGowan, Robert G. McCord and Bernard C. Ryan, as clerks and assistant clerks of the district courts in the city of New York."

Senate, "An act to amend chapter 399 of the Laws of 1871, entitled

'An act to authorize the village of Corning, Steuben county, to borrow money to construct water-works for said village,' passed April 11, 1871."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Fish, from said committee, reported progress on said first mentioned bill, and asked leave to sit again.

The question being on granting leave,

Mr. Strahan moved to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Strahan, and it was determined in the affirmative.

Said bill was ordered engrossed and to a third reading.

Mr. Fish, from said committee, also reported in favor of the passage of said second mentioned bill; which report was agreed to, and said bill ordered to a third reading.

Mr. Moody introduced a bill entitled "An act to amend chapter 277 of the Laws of 1876, entitled 'An act to amend section 15 of article 2, title 4 of chapter 2 of part 3 of the Revised Statutes, relating to justices' courts,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Williams introduced a bill entitled "An act in relation to collectors and receivers of taxes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. T. A. Case introduced a bill entitled "An act to amend chapter 163 of the Laws of 1870, entitled 'An act to amend the act entitled 'An act to authorize the business of banking, passed April 18, 1838,' passed April 9, 1870,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Mr. Welsh introduced a bill entitled "An act to provide for the removal of eel-weirs and other devices for taking fish from the Delaware river and its branches, and to prevent the maintenance of such devices," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Mr. Humphrey introduced a bill entitled "An act to amend chapter 402 of the Laws of 1868, entitled 'An act to authorize the trustees of incorporated rural cemeteries to impose a tax upon the lot owners in said cemeteries,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Tighe introduced a bill entitled "An act for the protection of passengers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

On motion of Mr. Tighe, and by unanimous consent, said bill was ordered printed.

Mr. Marvin introduced a bill entitled "An act to amend section 5 of title 3 of chapter 13, part 1 of the Revised Statutes, relating to property liable to taxation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. W. L. Rockwell introduced a bill entitled "An act to amend an act entitled 'An act for the incorporation of villages,' passed April 20, 1870, so far as the same relates to the village of Brockport, in the county of Monroe," accompanied by a petition; which was read the first time, and by unanimous consent was also read the second time, when

On motion of Mr. W. L. Rockwell, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 95 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Crowley	Lyon	Santee
Backenstose *	Curran	Maher	Shanley
Baker	Davenport	Marvin	Shannon
S. Baldwin	Dillmeier	Maynard	Sheldon
M. L. Baldwin	Ecclesine	McFalls	Skillman
Barnes	Fay	McGraw	Skinner
Billings	Fish	McGroarty	Sliter
Billington	Flecke	McKee	Spicer
Bissell	Floyd-Jones	Moller	Spinola
Bowen	Gallagher	Moody	Stephenson
Brick	Gilbert	Morey	Stone
Brill	Grady	Nachtmann	Strahan
J. H. Brown	Gulick	Neilson	Suydam
J. S. Brown	Hamilton	Noyes	Taylor
E. Case	Hammond	O'Hare	Thistlethwaite
G. M. Case	Hayes	Peck	Tighe
T. A. Case	Herrick	Piper	Valentine
Childs	Hodges	Post	Waddell
Clapp	Hogeboom	Potter	Webb
Corbett	Humphrey	Purdy	Weiant
Corsa	King	W. L. Rockwell	Wemple
Coulter	Langbein	Ruggles	Williams
Cowdin	Langner	Sager	Winch
Cozans	Longyear	Sanders	

For the negative,

Tabor

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Nachtmann introduced a bill entitled "An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873, and being chapter 335 of the Laws of 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Ecclesine introduced a bill entitled "An act for the relief of William McDonald, for rendering services and for supplying materials for the making of certain roads in the city of New York," which was read

the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Cowdin introduced a bill entitled "An act to amend the charter of the Lafayette Fire Insurance Company of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Also, a bill entitled "An act to provide for making to the New York Infirmary for Women and Children the same allowances and payments for the care and maintenance of lying-in and nursing women, as are now provided by law for the New York Infant Asylum," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Langbein introduced a bill entitled "An act to amend an act entitled 'An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State, commonly known as the Code of Procedure,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Cozans introduced a bill entitled "An act for the better protection of mechanics of this State, by regulating the use of convict labor in the several State prisons, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

Mr. Corbett introduced a bill entitled "An act to create a board of assessors in and for the city of Utica," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Waddell introduced a bill entitled "An act for the relief of the Lake George and Warrensburgh Plank-road Company, and to extend its charter or corporate existence," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Moller introduced a bill entitled "An act to amend an act entitled 'An act to establish free schools in School district, No. 4, in the town of East Chester, Westchester county,' passed June 8, 1853, and as amended by section 3 of chapter 235, passed April 17, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Langbein, Int. No. 133, entitled "An act in relation to married women domiciled out of this State," reported adversely thereto, which report was agreed to.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Bowen, Int. No. 134, entitled "An act to amend chapter 587 of the Laws of 1872, entitled 'An act to authorize the appointment of assistant district attorneys in certain counties in this State,'" reported adversely thereto, which report was agreed to.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Tabor, Int. No. 74, entitled "An act to amend an act entitled 'An act authorizing the election of a police justice in the village of Tonawanda,'" reported adversely thereto, which report was agreed to.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Stein, Int. No. 139, entitled "An act

for the better protection of printers, publishers and lithographers," reported adversely thereto, which report was agreed to.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Sheldon, Int. No. 135, entitled "An act in relation to trials in courts of this State, wherein any negotiable promissory note, or other negotiable written instrument, relating to a patent right, or the sale of territory under letters patent, shall be involved," reported adversely thereto.

Mr. Sheldon moved to lay said report on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Lang, Int. No. 94, entitled "An act amending the law of evidence in relation to disputed writings," reported adversely thereto.

Mr. Lang moved to lay said report on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Strahan, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to extend the powers of county judges when holding courts in other counties than their own," reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Bowen, from the committee on internal affairs, to which was referred the bill introduced by Mr. Humphrey, Int. No. 121, entitled "An act to provide for the payment of the interest due on certain bonds of the county of Greene, known as the bonds to refund taxes to banks, by issuing new bonds," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Bowen, from the committee on internal affairs, to which was referred the bill introduced by Mr. Davenport, Int. No. 164, entitled "An act to provide for the superintendent of the poor of the county of Otsego being keeper of the poor-house of said county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Bowen, from the committee on internal affairs, to which was referred the bill introduced by Mr. McFalls, Int. No. 30, entitled "An act to authorize the election of an additional justice of the peace in the town of Rossie, in the county of St. Lawrence," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Bowen, from the committee on internal affairs, to which was referred the bill introduced by Mr. Brick, Int. No. 68, entitled "An act to amend chapter 497 of the Laws of 1870, entitled 'An act to establish a police force in the county of Richmond,' passed April 28, 1870," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Husted presented a petition of the business men of the city of New York for the reduction of taxes on bank capital; which was read and referred to the committee on ways and means.

Mr. Billings presented a petition of citizens of Medina, Orleans county, for erection of a wall along the berme bank of the Erie canal, through



a part of said village; which was read and referred to the committee on canals.

Mr. Corbett presented a petition of freeholders of the city of Utica, in relation to appointment of assessors in and for said city; which was read and referred to the committee on affairs of cities.

Mr. Lyon presented a remonstrance of Catharine Griffin and others against repeal of act for widening North Second street, in the city of Brooklyn; which was read and referred to the committee on affairs of cities.

Mr. Ruggles offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the committee on ways and means be, and is hereby instructed to inquire and report to this House, whether, in the judgment of the committee, a wise policy, having in view both the interests of the tax-payers and the general educational interests of the State, does not demand a discontinuance, henceforth, of all annual appropriations of money by the Legislature for the special benefit and maintenance of the normal schools of this State, and that such schools should be abandoned as State institutions.

Said resolution giving rise to debate,

*Ordered*, That the same be laid on the table.

Mr. Noyes offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the bill entitled "An act to amend an act to incorporate the Firemen's Benevolent Association of the village of Le Roy," be recommitted to the committee on affairs of villages for amendment, and that the same retain its place on general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. McFalls offered for the consideration of the House a resolution, in the words following:

*Whereas*, To distribute the mails with dispatch in the post-office, the Assembly requires additional help; therefore

*Resolved*, That I. K. Wing be and he is hereby appointed second assistant postmaster of the Assembly, with the same pay per diem and mileage as the other assistant.

*Ordered*, That said resolution be referred to the committee on expenditures of the House.

Mr. Tighe called from the table the resolutions previously offered by him in the words following:

*Resolved* (if the Senate concur), That section 6 of article 6 of the Constitution be amended so that it shall read as follows:

§ 6. There shall be one existing Supreme Court, with general jurisdiction in law and equity, subject to such appellate jurisdiction of the Court of Appeals as now is, or may be, prescribed by law, and it shall be composed of the justices now in office, with two additional justices, to be elected as hereinafter provided, who shall be continued during their respective terms and of their successors. The existing judicial districts of the State are continued until changed pursuant to this section. Five of the justices shall reside in the district in which is the city of New York, six in the second judicial district, five in the third judicial district, and four in each of the other districts. The Legislature may alter the districts, without increasing the number, once after every enumeration, under this Constitution, of the inhabitants of the State.

*Resolved* (if the Senate concur), That said amendment to said section six be referred to the Legislature to be chosen at the next general election of Senators, and that, pursuant to section one of article thirteen of the Constitution, it be published for three months previous to the time of such election.

Mr. Alvord moved that said resolution be referred to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Spinola offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the Clerk, on the third reading of all bills, shall announce to the House when the bill is read through to the last section, before reading said last section.

Mr. Alvord moved to refer said resolution to the committee on rules.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Langbein called from the table the resolutions previously offered by him, in the words following:

*Resolved* (if the Senate concur), That article six of the Constitution be amended by the addition of the following section:

§ 29. On the first day of January, 1879, the Court of Common Pleas for the city and county of New York, and the Superior Court of the city of New York, shall cease to exist, and all the jurisdiction of said courts shall vest in, and all the judges of said courts then in office shall become justices of, the Supreme Court; and any judicial power in civil and criminal cases, and any judicial power as a county judge, and other special authority and jurisdiction now vested in any or either of the judges of either of said courts shall vest in the justices of the Supreme Court for the First Department, to be exercised in such manner and under such limitations as the Legislature may prescribe, or, so long as the Legislature shall not have acted, then in such manner and under such limitations and regulations as the General Term for such First Department shall, from time to time, prescribe; and, thereupon, the judges so transferred shall hold their places for the remainder of the respective terms for which they shall have been chosen or appointed, and suits, actions, appeals, motions, and proceedings then pending in the courts so abolished, shall be and become immediately transferred to the Supreme Court for the First Department, without prejudice to any undertaking, bond, pleading, deposition, or other entry or proceeding had therein; and, thereafter, there shall be seventeen justices of the Supreme Court for the First Department (which shall consist of the city and county of New York), chosen or appointed as provided by the Constitution of this State, and the salaries of all said justices, except five, shall be provided for and paid by the city of New York. The General Term of the First Department shall hereafter consist of five justices, of whom three may constitute a quorum, all of whom shall be designated in the manner in which General Term justices are now, or shall hereafter be, authorized by law to be designated.

*Resolved* (if the Senate concur), That the foregoing amendment be referred to the Legislature to be chosen at the next general election of Senators, and that in conformity to section one of article thirteen of the Constitution, it be published for three months previous to the time of such election.

Mr. Husted moved to refer said resolutions to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hogeboom called from the table the resolution previously offered by Mr. Post, in the words following:

*Whereas*, Grave legal and constitutional questions have arisen as to the proper method of determining the result of the late presidential election; and

*Whereas*, It is of great importance to the nation that those questions should be justly and speedily settled; therefore, be it

*Resolved* (if the Senate concur), That we approve the plan of the joint committee of the two houses of the Congress of the United States, as proposed in the bill known as "A bill to provide for and regulate the counting of votes for president and vice-president, and the decision of questions arising thereon, for the term commencing March 4, 1877."

Mr. Hogeboom offered a substitute, in the words following:

*Resolved* (if the Senate concur), That we look upon the present attempt on the part of Congress, to provide for the counting of the electoral vote, as a departure from the established usage, and a bold step in the direction of that invasion, from the legislative department which the fathers, by their foresight, were enabled to discover as the tendency of all modern governments, and against which, as our early history clearly shows, they intended to place, and as they supposed, had placed, the strongest bulwarks. This invasion is none the more justifiable, because in the guise of compromise, it is in reality in violation of those sacred compromises upon which the government itself was founded, and without which it could not at the time have been established, nor the less dangerous, because under a grave menace, the present opportunity is employed to accomplish it. That the Constitution, and by the lights its framers placed beside it, has left no reasonable doubt as to what was intended to be provided upon this subject, and the long line of precedents established in conformity with contemporaneous interpretation, should be accepted as satisfactory authority, and affords at this time the safest guide.

Mr. Alvord moved that said resolution and substitute be laid on the table and ordered printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker presented a communication from the Secretary of State, in response to a resolution of the Assembly.

On motion of Mr. Bradley, and by unanimous consent, said communication was referred to the committee on ways and means.

Mr. Welsh, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act establishing the salary of the deputy Comptroller and making appropriations for certain expenses of the government, and supplying deficiencies in former appropriations, for the fiscal year ending September 30, 1877."

"An act to facilitate the construction of narrow gauge railroads, and to amend chapter 560 of the Laws of 1871, entitled 'An act to amend an act entitled An act to authorize the formation of railroad corporations and to regulate the same, passed April 2, 1850,' passed April 19, 1871."

"An act to amend section 3 of chapter 767 of the Laws of 1872, enti-

tled 'An act to establish the compensation of county judges and surrogates pursuant to the fifteenth section of the amended sixth article of the Constitution,' passed May 17, 1872."

The bill entitled "An act to amend an act entitled 'An act to incorporate the city of Binghamton,' passed April 9, 1867, and the acts amendatory of the same," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 89 {  
} NOES 00 {

Those who voted in the affirmative, were

Alvord	Cowdin	Langbein	Sager
Backenstose	Cozans	Langner	Sanders
Baker	Crowley	Longyear	Santee
S. Baldwin	Curran	Lyon	Shanley
M. L. Baldwin	Davenport	Maher	Shannon
Barnes	Dimond	Marvin	Sheldon
Billings	Ecclesine	Maynard	Skinner
Billington	Fay	McFalls	Sliter
Bissell	Fish	McGraw	Spicer
Bowen	Flecke	McGroarty	Spinola
Bradley	Floyd-Jones	McKee	Stein
Brick	Gallagher	Mitchell	Stephenson
Brill	Gilbert	Moller	Stone
J. H. Brown	Grady	Moody	Strahan
J. S. Brown	Gulick	Moore	Suydam
Bulmer	Hamilton	Morey	Thistlethwaite
E. Case	Hammond	O'Hare	Tighe
T. A. Case	Hepburn	Peck	Valentine
Childs	Hodges	Piper	Weiant
Clapp	Humphrey	Proper	Wemple
Corbett	King	W. L. Rockwell	Williams
Corsa	Lang	Ruggles	Winch
Coulter			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to extend the powers of county judges when holding courts in other counties than their own," being announced for a third reading,

Mr. Ruggles moved to substitute the Senate bill entitled "An act to extend the powers of county judges when holding courts in other counties than their own."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 87 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dillmeier	Marvin	Shannon
Backenstose	Dimond	Maynard	Skiinner
Baker	Ecclesius	McFalls	Sliter
M. L. Baldwin	Fay	McGraw	Spicer
Barnes	Fish	McGroarty	Spinola
Billings	Flecke	McKee	Stein
Billington	Floyd-Jones	Mitchell	Stephenson
Bissell	Gilbert	Moller	Stone
Bowen	Grady	Moody	Strahan
Bradley	Gulick	Moore	Suydam
Brick	Hammond	Morey	Taylor
Brill	Hayes	Nachtmann	Thistlethwaite
J. H. Brown	Hepburn	Neilson	Valentine
J. S. Brown	Hodges	Peck	Waddell
E. Case	Humphrey	Post	Webb
T. A. Case	Husted	Potter	Weiant
Childs	Keator	W. L. Rockwell	Welsh
Clapp	King	Ruggles	Wemple
Corbett	Lang	Sager	Wickes
Corsa	Langbein	Sanders	Williams
Cozans	Longyear	Santee	Winch
Davenport	Maher	Shanley	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

Mr. Lang moved to recommit the bill entitled "An act to regulate the execution and transfer of negotiable instruments given for patent rights," to the committee on the judiciary, with instructions to amend said bill by adding at the end of the second section thereof the following: "But this act shall not apply to the case of the sale of an article or thing manufactured under a patent, with no other right than that of using or selling the article or thing so sold," and to report forthwith, the same being now on the order of third reading of bills.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Strahan, from the committee on the judiciary, to which was recommitment the bill entitled "An act to regulate the execution and transfer of negotiable instruments given for patent rights," reported that they had amended the same, as instructed by the House.

The bill entitled "An act to amend an act passed March 31, 1864, to amend an act entitled 'An act in relation to the Syracuse Water-works Company,' passed April 5, 1849," being announced for a third reading,

Mr. Spinola moved to recommit said bill to the committee on affairs of cities, with instructions to amend said bill as follows: "No such increase of stock shall be issued until after written or printed notice has been served upon all the stockholders of said company, and not then unless such stock has been paid for in full in cash," and to report back to the House forthwith.

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Spinola, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 85 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Curran	Langbein	Sager
Backenstose	Davenport	Longyear	Sanders
Baker	Dillmeier	Maher	Santee
S. Baldwin	Ecclesine	Marvin	Shanley
M. L. Baldwin	Fay	Maynard	Shannon
Billings	Filkin	McFalls	Sheldon
Billington	Fish	McGraw	Skillman
Bissell	Flecke	McGroarty	Skinner
Bowne	Floyd-Jones	McKee	Sliter
Bradley	Gallagher	Moller	Spicer
Brick	Grady	Moody	Stein
J. H. Brown	Gulick	Moore	Stephenson
Bulmer	Hamilton	Morey	Stone
Burns	Hammond	Nachtmann	Taylor
E. Case	Hayes	Noyes	Thistlethwaite
G. M. Case	Hodges	Peck	Valentine
T. A. Case	Hogeboom	Piper	Waddell
Childs	Humphrey	Post	Webb
Clapp	Husted	Potter	Weiant
Corbett	Keator	W. L. Rockwell	Williams
Cores	King	Ruggles	Winch
Coulter			

For the negative,

Spinola

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to treasurer's fees and per centages in Monroe county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curran	Longyear	Sager
Backenstose	Davenport	Maher	Santee
Baker	Dillmeier	Marvin	Shanley
S. Baldwin	Filkin	Maynard	Sheldon
Billings	Fish	McFalls	Skillman

Bissell	Floyd-Jones	McGraw	Skinner
Bowen	Gallagher	McGroarty	Sliter
Bradley	Grady	McKee	Spicer
Brick	Gulick	Moller	Stephenson
Brill	Hamilton	Moody	Stone
J. H. Brown	Hammond	Moore	Suydam
J. S. Brown	Hayes	Morey	Thistlethwaite
E. Case	Herrick	Noyes	Tighe
G. M. Case	Hodges	Peck	Valentine
T. A. Case	Hogeboom	Piper	Waddell
Clapp	Humphrey	Post	Webb
Corbett	Husted	Potter	Wemple
Corsa	Keator	Itice	Wickes
Coulter	Lang	W. L. Rockwell	Winch
Crowley	Langbein	Ruggles	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to establish the compensation of the county judge and the surrogate of Washington county, pursuant to the fifteenth section of the amended sixth article of the Constitution," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 89 }  
 } NOES 00 }

Those who voted in the affirmative, were

Alvord	Curran	Maher	Santee
Backenstose	Davenport	Marvin	Shanley
Baker	Fay	Maynard	Shannon
S. Baldwin	Filkin	McFalls	Sheldon
M. L. Baldwin	Fish	McGraw	Skillman
Billings	Flecke	McGroarty	Skinner
Billington	Floyd-Jones	McKee	Sliter
Bissell	Gallagher	Moller	Spicer
Bradley	Grady	Moody	Stein
Brick	Gulick	Moore	Stephenson
Brill	Hamilton	Morey	Stone
J. H. Brown	Hammond	Nachtmann	Suydam
J. S. Brown	Hayes	Neilson	Taylor
Bulmer	Herrick	Noyes	Thistlethwaite
E. Case	Hodges	Peck	Tighe
G. M. Case	Humphrey	Post	Valentine
T. A. Case	Husted	Potter	Waddell
Childs	Keator	Purdy	Webb
Clapp	King	W. L. Rockwell	Weiant
Corbett	Lang	Ruggles	Welsh
Coulter	Langbein	Sager	Wickes
Cozans	Langner	Sanders	Williams
Crowley			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the preservation of life at bathing places," being announced for a third reading.

On motion of Mr. Grady, and by unanimous consent, said bill was amended by inserting in section 1, line 11, engrossed bill, after the word "ocean," the words "within this State."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 94 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curran	McGroarty	Sheldon
Backenstose	Fay	McKee	Skillman
Baker	Filkin	Mitchell	Skinner
S. Baldwin	Fish	Moller	Sliter
M. L. Baldwin	Flecke	Moody	Spicer
Barnes	Gallagher	Moore	Spinola
Billings	Gulick	Morey	Stein
Billington	Hamilton	Nachtmann	Stephenson
Bissell	Hammond	Neilson	Stone
Bradley	Hepburn	Noyes	Strahan
Brick	Hodges	O'Hare	Suydam
Brill	Hogehoom	Peck	Taylor
J. H. Brown	Humphrey	Piper	Thistlethwaito
Bulmer	Husted	Post	Tighe
Burns	King	Potter	Valentine
E. Case	Lang	Purdy	Waddell
G. M. Case	Langbein	W. L. Rockwell	Webb
T. A. Case	Longyear	Ruggles	Weiant
Childs	Lyon	Sager	Welsh
Clapp	Maher	Sanders	Wemple
Corbett	Marvin	Santee	Wickes
Corsa	Maynard	Shanley	Williams
Cozans	McFalls	Shannon	Winch
Crowley	McGraw		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to regulate the execution and transfer of negotiable instruments given for patent rights," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 77 }  
{ NOES 4 }

Those who voted in the affirmative, were

Alvord	Fay	Marvin	Shannon
Backenstose	Filkin	Maynard	Sheldon
Baker	Fish	McFalls	Skillman
M. L. Baldwin	Flecke	McGraw	Skinner



Barnes	Gallagher	McGroarty	Sliter
Billings	Grady	McKee	Spicer
Billington	Gulick	Moller	Stephenson
Bradley	Hamilton	Moody	Stone
Brick	Hammond.	Moore	Strahan
Brill	Herrick	Morey	Suydam
G. M. Case	Hodges	Noyes	Taylor
T. A. Case	Hogeboom	O'Hare	Thistlethwaite
Clapp	Humphrey	Peck	Tighe
Corbett	Husted	Piper	Waddell
Corsa	Keator	Potter	Webb
Coulter	King	Ruggles	Wemple
Cozans	Langbein	Sanders	Wickes
Curran	Longyear	Santee	Williams
Davenport	Maher	Shanley	Winch
Ecclesine			

Those who voted in the negative, were

Mitchell	Nachtmann	Spinola	Stein
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*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The hour of 2 o'clock having arrived, the House adjourned.

## FRIDAY, JANUARY 23, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Morrow.

The journal of yesterday was read and approved.

Mr. Speaker presented the supplemental report of the New Capitol Commissioners; which was laid on the table and ordered printed.

(See Doc. No. .)

Mr. Speaker presented a memorial of the National Board of Trade relative to the development of improved and skilled labor; which was read and referred to the committee on public education.

Mr. Hogeboom introduced a bill entitled "An act to authorize the board of supervisors of the county of Columbia to provide for the payment of the principal of a portion of the bounty debt of said county, by issuing new bonds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Marvin introduced a bill entitled "An act to provide for the filing of security for the payment of damages and costs by the plaintiff in actions or proceedings against physicians, surgeons and dentists for damages or punishment for malpractice," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to regulate and define the duties of pawnbrokers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Stein introduced a bill entitled "An act for the relief of Joseph McGuire," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Cowdin introduced a bill entitled "An act relating to copartnerships," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to regulate the age of admission to the common schools," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Piper introduced a bill entitled "An act to amend an act entitled 'An act to establish the compensation of county judges and surrogates, pursuant to the fifteenth section of the amended sixth article of the Constitution,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Barnes introduced a bill entitled "An act to authorize the extension of the time for the collection of taxes in the several towns of the State," which was read the first time, and by unanimous consent was also read the second time, when

On motion of Mr. Barnes, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 95 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Ecclesine	Lyon	Skillman
Baker	Filkin	Maher	Skinner
S. Baldwin	Fish	Marvin	Sliter
M. L. Baldwin	Flecke	Maynard	Speaker
Barnes	Floyd-Jones	McFalls	Spicer
Billings	Gallagher	McGraw	Spinola
Bowen	Gere	McGroarty	Stein
Bradley	Gilbert	McKee	Stephenson
Brick	J. S. Graham	Moller	Stone
J. H. Brown	Gulick	Moody	Strahan
E. Case	Hamilton	Morey	Suydan
G. M. Case	Hammond	Neilson	Taylor
T. A. Case	Hayes	Noyes	Thistlethwaite
Childs	Healy	O'Hare	Tighe
Clapp	Herrick	Proper	Valentine
Corbett	Hodges	Purdy	Waddell
Corsa	Hogeboom	H. H. Rockwell	Webb
Coulter	Humphrey	W. L. Rockwell	Weiant
Cowdin	Husted	Sager	Welsh
Cozans	Keator	Sanders	Wemple
Crowley	King	Santee	Wickes
Curran	Lang	Shaunley	Williams

Davenport  
Dimond

Langbein  
Longyear

Shannon  
Sheldon

Winch

For the negative,

Hepburn

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Fish introduced a bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies,' passed June 24, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Lang introduced a bill entitled "An act to amend section 355 of chapter 448 of the Laws of 1876, known as the Code of Remedial Justice," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Childs introduced a bill entitled "An act to amend chapter 446 of the Laws of 1874 entitled 'An act to revise and consolidate the statutes of the State relating to the care and custody of the insane, the management of the asylums for their treatment and safe-keeping, and the duties of the State Commissioner in Lunacy,' passed May 12, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. O'Hare introduced a bill entitled "An act to amend chapter 221 of the Laws of 1875, entitled 'An act to provide for the aid and support of the poor in the counties of Erie, Kings and New York,' passed April 30, 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Also, a bill entitled "An act to amend chapter 335 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York, and to further define the powers and duties of the board of health of said city,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Hayes introduced a bill entitled "An act relative to lands in the city of New York, devised by Charlotte E. Jenkins, late of said city, deceased, authorizing the mortgaging or sale thereof, and the disposition of the proceeds thereof, in accordance with the provisions of the will of the said deceased, the same to be done under the direction of the Supreme Court," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a petition on the same subject, which was read and referred to the same committee.

Also, a bill entitled "An act to authorize the board of police of the police department of the city of New York, to establish a retiring pension fund for members of the police force thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act concerning the powers and duties of the board of police in relation to street cleaning," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. J. S. Graham introduced a bill entitled "An act to amend an act entitled 'An act to establish a local court of civil jurisdiction in the city of Rochester, to be called the Municipal Court of Rochester, and to amend the charter of said city,' passed May 2, 1876," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to amend an act entitled 'An act for the incorporation of societies or clubs for certain social and recreative purposes,' passed April 11, 1865," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Stein introduced a bill entitled "An act to amend sections 13 and 14 of chapter 467 of the Laws of 1853, entitled 'An act to provide for the licensing and government of the pilots and regulating pilotage of the port of New York,' which sections were amended by chapter 137 of the Laws of 1865," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Hogeboom presented a petition of the board of supervisors of Columbia county, for reduction of salaries of county judge and surrogate; which was read and referred to the committee on the judiciary.

Mr. Tighe presented a petition for amendment of an act in relation to judicial sales in the county of Kings; which was read and referred to the committee on the judiciary.

Mr. Lyon presented a remonstrance of John H. Diercks and others, against the repeal of chapter 559, Laws of 1871, for the improvement of North Second street, in the city of Brooklyn; which was read and referred to the committee on affairs of cities.

Mr. Corbett presented a petition of officers of Utica Law Library Association, for an additional appropriation of \$2,000; which was read and referred to the committee on ways and means.

Mr. Fish presented five petitions of citizens of Putnam and Westchester counties, for exemption of Lake Mahopac, etc., from the provisions of the act providing for supply of water for the city of New York, passed February 27, 1871, and acts amendatory thereof; which were read and referred to the committee on affairs of cities.

Mr. Strahan, from the committee on the judiciary, to which was referred the several bills in relation to betting, and the selling of pools, reported in writing and introduced a bill covering the whole subject, entitled "An act in relation to bets, wagers or pools," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to amend chapter 613 of the Laws of 1875, entitled 'An act to authorize the formation of corporations for the safe-keeping and guaranteeing of personal property,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Sanders, Int. No. 70, entitled "An act to amend chapter 613 of the Laws of 1875, entitled 'An act to authorize the formation of corporations for the safe-keeping and guaranteeing of personal property,'" reported in favor of the passage of the same, with

amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Brill, Int. No. 84, entitled "An act to amend an act providing for appeals from the decisions of county superintendents of the poor," reported adversely thereto, which report was agreed to.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. T. A. Case, Int. No. 159, entitled "An act to amend section 29 of article 3, chapter 6, title 6 of part 1 of the Revised Statutes, relative to the compensation of electors of President and Vice-President of the United States," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Williams, Int. No. 171, entitled "An act to provide for the election of an additional justice of the peace in the town of Harmony, in the county of Chautauqua," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Maynard, Int. No. 180, entitled "An act to amend section 55, article 3, chapter 8, part 2 of the Revised Statutes, entitled 'Of divorces dissolving the marriage contract,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Williams, Int. No. 172, entitled "An act to provide for the election of an additional constable in the town of Harmony, in the county of Chautauqua," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Corsa, Int. No. 187, entitled "An act to provide for the completion of the court-house, in the third judicial district of the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Shanley, Int. No. 123, entitled "An act to repeal section 2 of chapter 487 of the Laws of 1875, entitled 'An act to alter the commissioners' map of the city of Brooklyn, and for other purposes,' passed June 5, 1875," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hepburn, from the committee on charitable and religious societies, to which was referred the Senate bill entitled "An act to amend chapter 133 of the Laws of 1847, entitled 'An act authorizing the incorporation of rural cemetery associations,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Welsh, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act for the relief of James R. Davies, William P. Mitchell, Michael

Cregan, Henry G. Leask, John E. McGowan, Robert G. McCord, Francis Mangin, Whitfield Van Cott and Bernard C. Ryan, as clerks and assistant clerks of the district courts in the city of New York."

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Moody, Int. No. 170, entitled "An act making an appropriation for the payment of the salary and expenses of Ransom Balcoin, one of the justices of the Supreme Court, for one year, ending December 31, 1877," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Williams, Int. No. 207, entitled "An act in relation to collectors and receivers of taxes," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, reported in favor of the adoption of the following resolution:

*Resolved*, That the committee on ways and means be discharged from the further consideration of Senate bill entitled "An act reappropriating money to pay drafts heretofore drawn by the Canal Commissioner," and that the same be referred to the committee on canals.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Lang offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the committee on public education be directed to inquire and report whether any, and if so, what legislation will secure uniformity of text-books in schools.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Stein offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the bill entitled "An act to amend sections 13 and 14 of chapter 467 of the Laws of 1853, entitled 'An act to provide for the licensing and government of the pilots, and regulating pilotage of the port of New York, which sections are amended by chapter 137 of the Laws of 1865,'" be ordered printed.

Mr. Hogeboom moved to refer said resolution to the committee on public printing.

Mr. Skinner moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Hogeboom, and it was determined in the negative.

{ AYES 47 }  
{ NOES 58 }

Those who voted in the affirmative, were

Alvord	Corbett	Lang	Santee
Baker	Curran	McGraw	Shannon
S. Baldwin	Gallagher	McKee	Skinner
M. L. Baldwin	Gere	Moody	Speaker

Barnes	Gilbert	Moore	Spicer
Billings	J. S. Graham	Morey	Suydam
Billington	Gulick	Noyes	Taylor
Bissell	Hammond	Peck	Thistlethwaite
Bowen	Hogeboom	Piper	Valentine
E. Case	Husted	Post	Williams
T. A. Case	Keator	Potter	Winch
Clapp	King	W. L. Rockwell	

Those who voted in the negative, were

Bradley	Fish	Marvin	Shanley
Brick	Flecke	Maynard	Sheldon
Brill	Floyd-Jones	McFalls	Skillman
J. H. Brown	Grady	McGroarty	Spinola
J. S. Brown	Hamilton	Mitchell	Stein
Bulmer	Healy	Moller	Stephenson
Childs	Hepburn	Neilson	Stone
Corsa	Herrick	O'Hare	Strahan
Coulter	Hodges	Proper	Tighe
Cowdin	Humphrey	Purdy	Webb
Cozans	Langbein	H. H. Rockwell	Weiant
Crowley	Langner	Ruggles	Welsh
Davenport	Longyear	Sager	Wemple
Dimond	Lyon	Sanders	Wickes
Ecclesine	Maher		

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. O'Hare offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the bill entitled "An act for the relief of James R. Davies, William P. Mitchell, Michael Cregan, Henry G. Leask, John E. McGowan, Robert G. McCord, Francis Mangin, Whitfield Van Cott and Bernard C. Ryan, as clerks and assistant clerks of the district courts in the city of New York," be recommitted to the committee on the judiciary for the purpose of amendment, as follows: At end of section 1 add: "And before the payment of any of the claims as hereinbefore provided, the comptroller of the city of New York shall require a statement, under oath or affirmation, of all fees and moneys received, collected and retained by said clerks and assistant clerks in their official capacity, and shall deduct the amount thereof from the amount authorized to be paid by this act," said committee to report forthwith, and the bill to retain its place on the order of third reading of bills.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. McKee offered for the consideration of the House a resolution, in the words following:

*Resolved* (if the Senate concur), That there be printed for the use of the Legislature, 1,000 copies of that portion of the report of the commission to investigate the condition of the lateral canals that contains the conclusions and recommendations of the commission.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Maynard called from the table a resolution previously offered by him in the words following:

*Resolved* (if the Senate concur), That section 6 of article 3 of the Constitution, be amended so as to read as follows:

§ 6. Each member of the Legislature shall receive for his services an annual salary of one thousand dollars. The members of either House shall also receive the sum of one dollar for every ten miles they shall travel, in going to and returning from their place of meeting once in each session on the most usual route. Senators, when the Senate alone is convened in extraordinary session, or when serving as members of the court for the trial of impeachments, and such members of the Assembly, not exceeding nine in number, as shall be appointed managers of an impeachment, shall receive an additional allowance of ten dollars a day.

Mr. Maynard moved that said resolution be referred to the committee on ways and means.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Suydam offered for the consideration of the House a resolution, in the words following:

*Resolved*, That when this House adjourns to-day it be to meet on Monday, January 29, at 8 P. M.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 69 }  
{ NAYS 34 }

Those who voted in the affirmative, were

Barnes	Dimond	Lyon	Ruggles
Billings	Ecclesine	Maher	Santee
Billington	Flecke	Marvin	Shanley
Bowen	Gere	Maynard	Speaker
Brill	Grady	McFalls	Stein
J. H. Brown	Gulick	McGroarty	Stephenson
J. S. Brown	Hamilton	Mitchell	Stone
Bulmer,	Hammond	Moller	Strahan
Burns	Hayes	Moody	Suydam
E. Case	Herrick	Morey	Thistlethwaite
G. M. Case	Hodges	Noyes	Tighe
T. A. Case	Hogeboom	O'Hare	Waddell
Childs	Humphrey	Piper	Webb
Corsa	Husted	Post	Weiant
Coulter	Keator	Potter	Wemple
Cowdin	Lang	Purdy	Wickes
Curran	Longyear	H. H. Rockwell	Winch
Davenport			

Those who voted in the negative, were

Alvord	Fish	McKee	Sheldon
Baker	Floyd-Jones	Moore	Skillman
S. Baldwin	Gallagher	Neilson	Skinner
M. L. Baldwin	Gilbert	Peck	Sliter
Bissell	J. S. Graham	W. L. Rockwell	Spicer
Bradley	Healy	Sager	Spinola
Clapp	King	Sanders	Welsh
Corbett	Langbein	Shannon	Williams
Cozans ;	McGraw		



Mr. Strahan, from the committee on the judiciary, to which was recommended the bill entitled "An act for the relief of James R. Davies, William P. Mitchell, Michael Cregan, Henry G. Leask, John F. McGowan, Robert G. McCord, Francis Mangin, Whitfield Van Cott and Bernard C. Ryan, as clerks and assistant clerks of the district courts in the city of New York," reported that they had amended the same as instructed by the House.

Mr. Moller offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the bill entitled "An act to facilitate the construction of narrow gauge railroads, and to amend chapter 560 of the Laws of 1871, entitled 'An act to amend an act to authorize the formation of railroad corporations and to regulate the same, passed April 2, 1850,' passed April 19, 1871," be recommitted to the committee on railroads, with instructions to insert the following amendment (retaining its place on third reading of bills):

Strike out the new matter in section 1, lines 13, 14 and 15, page 3, and insert the following: "Such railroad company may charge and receive not exceeding five cents per mile for each passenger and his ordinary baggage transported on such railroad, when the length of such railroad does not exceed twenty-five miles. When such railroad does exceed twenty-five miles in length, and does not exceed forty miles in length, then such rate of fare shall not be greater than four cents per mile. When such railroad does exceed forty miles in length, then such rate of fare shall not be greater than three cents per mile. This act not to apply to railroads upon which rates of fare are already provided by law.

Mr. Weiant offered a substitute, in the words following:

*Resolved*, That the bill entitled "An act to facilitate the construction of narrow gauge railroads, and to amend chapter 560 of the Laws of 1871, entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850," be recommitted to the committee on railroads, with instructions to amend the same, and report forthwith, as follows (retaining its place on third reading of bills):

Strike out in section 2, all after the word "yard," in line 13, and insert the following: "Such railroad company may charge and receive, not exceeding five cents per mile for each passenger and his ordinary baggage, transported on such railroad, when the length of such railroad does not exceed twenty-five miles; when such railroad does exceed twenty-five miles in length, then such railroad company may charge and receive not exceeding three cents per mile for each passenger and his ordinary baggage transported on such railroad. This act shall not apply to railroads upon which rates of fare are already fixed by law, nor shall such increased fare be charged by railroad companies whose roads form continuous and connecting lines exceeding twenty-five miles in length."

Mr. Ruggles moved to lay the resolution and substitute on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Moore offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the bill entitled "An act to provide for representation in boards of supervisors, and to create a board of county auditors in certain counties in this State," be printed.

The question being on agreeing to said resolution,

Mr. J. S. Graham moved that the House adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and a quorum not voting,

Mr. Speaker ordered the Clerk to call the roll to ascertain if a quorum was present, when the following members answered to their names:

Alvord	Fish	Marvin	Sanders
S. Baldwin	Flecke	Maynard	Santee
M. L. Baldwin	Floyd-Jones	McFalls	Shanley
Barnes	Gallagher	McGraw	Shannon
Billings	Gere	McGroarty	Sheldon
Billington	Gilbert	McKee	Skillman
Bowen	Grady	Moller	Skinner
Bradley	J. S. Graham	Moody	Sliter
Brick	Gulick	Moore	Stein
Brill	Hamilton	Morey	Stephenson
J. H. Brown	Hammond	Neilson	Strahan
Bulmer	Hayes	Noyes	Snydam
E. Case	Healy	O'Hare	Taylor
T. A. Case	Herrick	Peck	Tighe
Clapp	Hodges	Piper	Waddell
Corsa	Hogeboom	Potter	Webb
Coulter	Humphrey	Proper	Weiant
Cowdin	Husted	Rice	Welsh
Cozans	Lang	H. H. Rockwell	Wemple
Curran	Langbein	W. L. Rockwell	Wickes
Dimond	Longyear	Ruggles	Williams
Ecclesine	Lyon	Sager	Winch
Filkin	Maher		

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A quorum having been found to be present,

Mr. Tighe moved that the House adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon, at 12 o'clock and 50 minutes, the House adjourned until Monday evening at 8 o'clock.

## MONDAY, JANUARY 29, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Magee.

The journal of Friday, January 26, was read and approved.

Mr. Speaker presented the annual report of the Canal Commissioners; which was laid on the table and ordered printed.

(See Doc. No. .)

The Senate returned the Senate bill entitled "An act to extend the powers of county judges when holding courts in other counties than their own," with a message informing of non-concurrence in the amendment of the Assembly made thereto, and that they had appointed Messrs.

Robertson, Bradley and Schoonmaker a committee of conference thereon and request a like committee on the part of the House.

Mr. Strahan moved that a like committee of conference be appointed on the part of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker appointed as such committee, Messrs. Strahan, Hogeboom, Gilbert, Ruggles and Piper.

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows:

"An act to legalize and confirm the official acts of J. Marshall Guion, a justice of the peace in the town of Seneca Falls, in the county of Seneca, and to enable him to take and file his oath of office."

*Ordered*, That the Clerk deliver said bill to the Governor.

Mr. Maynard introduced a bill entitled "An act to legalize and confirm the proceedings of the board of trustees of the village of Andes, in the county of Delaware, in relation to the purchase of hydrants for the use of said village, and the creation of a debt for that purpose," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Webb introduced a bill entitled "An act to release to the estate of Charles Doran deceased, the right, title and interest of the people of the State of New York in and to certain real estate in the city of Poughkeepsie," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Suydam introduced a bill entitled "An act to amend an act entitled 'An act to regulate the practice of pharmacy and the sale of poisons in the city and county of New York, passed May 22, 1872,' by extending its provisions to the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Mr. Stephenson introduced a bill entitled "An act to repeal an act entitled 'An act relating to Queens County Railway Company, passed April 19, 1871,' and to repeal the first section of an act entitled 'An act relating to Queens County Railway Company, passed May 10, 1872,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. J. S. Graham introduced a bill entitled "An act authorizing and empowering the common council of the city of Rochester to construct a turn-table or swing-bridge over the Erie canal in Allen street, in the city of Rochester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Dimond introduced a bill entitled "An act relating to the payment of assessments for local improvements in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Alvord introduced a bill entitled "An act to abolish the office of Auditor of the Canal Department," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Also, a bill entitled "An act in relation to the bonded indebtedness of villages, cities, towns and counties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. G. M. Case introduced a bill entitled "An act to provide for the construction of fish-ways in the State dams across the Oswego, Oneida and Seneca rivers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. McFalls introduced a bill entitled "An act to amend chapter 739, Laws of 1873, entitled 'An act for the preservation of fish in the River St. Lawrence,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Mr. Hamilton introduced a bill entitled "An act to incorporate Rapid Hose Company No. 1 of the city of Kingston, Ulster county, State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Tighe introduced a bill entitled "An act to confirm, reduce and levy a certain assessment for improving part of Union street in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Herrick introduced a bill entitled "An act in relation to the use of coal in manufacturing," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Mr. Hogeboom presented a petition of inhabitants of Columbia county, in favor of disfranchising electors who have sold their votes; which was read and referred to the committee on the judiciary.

Mr. Fish offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the Attorney-General be respectfully requested to inform this House within twenty days, how much money has been drawn and paid from the treasury to defray the expenses of litigations in suits in favor of the State, during the two years ending December 31, 1876, and that he give in detail the names of defendants, the items of officers or employes, mileage and pay in serving process, whether writs, summons or subpoenas; witness fees, counsel fees, and to whom and what amount; to each individual or firm, and further, what sum or sums are still due and unpaid for any of such services; to whom, and what amount to each.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker stated the pending question to be, when the House adjourned on Friday, on the resolution offered by Mr. Moore, in the words following:

*Resolved*, That the bill entitled "An act to provide for representation in boards of supervisors, and to create a board of county auditors in certain counties of this State," be printed.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. J. S. Graham offered for the consideration of the House a resolution, in the words following:

*Whereas*, The heating and ventilation of this Chamber are extremely imperfect, and the atmosphere consequently impure and unwholesome, thus injuring the health and endangering the lives of the members and officers of this Assembly; and

*Whereas*, It is reported that the system of Professor Satterlee, of Rochester, has been used with great success in the circuit and county court room in the city of Albany, and in court-houses and other public buildings in various parts of this State; therefore

*Resolved*, That the committee on expenditures of the House be and hereby is instructed to inquire as to the merits of Professor Satterlee's system of heating and ventilation, and the feasibility and expense of applying the same to this Chamber, and that said committee be and hereby is authorized, in case it shall be satisfied that said system is feasible and will be effectual in improving the air of this Chamber, and promoting the health and comfort of its inmates, to cause said system to be introduced and applied to this Chamber, forthwith, provided it can be done without seriously interrupting the business of the session, and at an expense not to exceed \$3,500.

*Ordered*, That said resolution be referred to the committee on expenditures of the House.

Mr. Gere offered for the consideration of the House a resolution, in the words following:

*Resolved*, That 1,000 extra copies of the Adjutant-General's report be printed and bound for the use of the Adjutant-General's department.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Brill offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the proper officer or officers of this House be, and are hereby directed to place upon the desks of the members the printed journal and other documents, in accordance with the rules governing this House.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Curran offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the State Engineer be respectfully requested to report to this House, within ten days, the number, rank and aggregate compensation per month of all persons employed in the engineer department of the New York State canals at the present time; the nature of the work upon which they are now engaged, and where located, with his opinion upon the necessity of such employment, and also, whether in his opinion, the entire force cannot be reduced down to the employment of a division and resident engineer and a draughtsman, without detriment to the interest of the State.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. J. G. Graham introduced a bill entitled "An act for the relief of John Black, an alien," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

Pursuant to 9th joint rule, Mr. Speaker announced the order of business, "third reading of bills."

By unanimous consent,

Mr. Alvord offered for the consideration of the House a resolution, in the words following:

*Resolved*, That a respectful message be sent to the Comptroller of the

State, requesting his opinion with regard to the necessity of supplying certain deficiencies in the appropriations for various expenditures for the support of government, named and purporting to be provided for in Assembly bill introductory No. 128.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The bill entitled "An act to facilitate the construction of narrow gauge railroads, and to amend chapter 560 of the Laws of 1871, entitled 'An act to amend an act entitled An act to authorize the formation of railroad corporations and to regulate the same, passed April 2, 1850,' passed April 19, 1871," being announced for a third reading,

Mr. Ruggles moved to recommit said bill to the committee on railroads, with instructions to amend the same in the words following, and report back to the House forthwith:

Strike out all of the second section after the word "yard," in line 13, page 3, and insert the following: "Such railroad company may charge and receive, when its road is not more than twenty-five miles in length, not exceeding five cents per mile; when its road is more than twenty-five and not more than forty miles in length, not exceeding four cents per mile; and when its road is more than forty miles in length, not exceeding three cents per mile for each passenger and his ordinary baggage transported on said road; provided that nothing in this or the last preceding section shall apply to railroad companies now incorporated, or to any railroad now in operation, or to any railroad, or part thereof, within the limits of any incorporated city."

Mr. Weiand moved to amend the instructions by striking out all after the word "following," and inserting the words: "Such railroad company may charge and receive, not exceeding five cents per mile for each passenger and his ordinary baggage transported on such railroad, when the length of such railroad does not exceed twenty-five miles; when such railroad does exceed twenty-five miles in length, then such railroad company may charge and receive not exceeding three cents per mile for each passenger and his ordinary baggage transported on such railroad. This act shall not apply to railroads upon which rates of fare are already fixed by law, nor shall such increased fare be charged by railroad companies whose roads form continuous and connecting lines exceeding twenty-five miles in length, nor to railroads within the limits of any incorporated city."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Weiand, and it was determined in the negative.

Mr. Hodges moved to further amend said instructions, by inserting as section 3 the following:

§ 3. The provisions of this act shall not apply to any railroads now constructed.

Amend line 4, in section 2, by inserting the words "three feet" in lieu of the words "thirty inches."

Mr. Hodges called for a division of the question.

Mr. Speaker put the question whether the House would agree to that part of Mr. Hodges' motion, relative to striking out the words "thirty inches," and inserting the words "three feet," and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to that part of Mr. Hodges' motion, relative to inserting as section 3 the

following: "§ 3. The provisions of this act shall not apply to any railroads now constructed," and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Ruggles, and it was determined in the affirmative.

Mr. Gilbert, from the committee on railroads, to which was recommended the bill entitled "An act to facilitate the construction of narrow gauge railroads, and to amend chapter 560 of the Laws of 1871, entitled 'An act to amend an act entitled An act to authorize the formation of railroad corporations, and to regulate the same, passed April 2, 1850,' passed April 19, 1871," reported that they had amended the same, as instructed by the House.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 83 }  
{ NOES 5 }

Those who voted in the affirmative, were

Alvord	Filkin	Maher	Ruggles
Baker	Fish	Marvin	Sager
S. Baldwin	Flecke	Maynard	Sanders
Barnes	Gallagher	McFalls	Santee
Billings	Gere	McGraw	Shannon
Bissell	Gilbert	Mitchell	Skillman
Bowen	Grady	Moller	Skinner
J. S. Brown	J. G. Graham	Moody	Smith
E. Case	J. S. Graham	Moore	Speaker
G. M. Case	Hammond	Morey	Spicer
Childs	Hayes	Nachtmann	Stein
Clapp	Healy	Neilson	Stephenson
Corbett	Herrick	Niven	Strahan
Corsa	Hodges	O'Hare	Thistlethwaite
Coulter	Hogeboom	Orr	Tighe
Cowdin	Holahan	Peck	Valentine
Cozans	Humphrey	Piper	Waddell
Curran	Keator	Post	Welsh
Davenport	Lang	Potter	Wickes
Dimond	Langbein	H. H. Rockwell	Williams
Ecclesine	Longyear	W. L. Rockwell	

Those who voted in the negative, were

Lyon	Proper	Purdy	Snydam
Weiant			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the relief of James R. Davies, William P. Mitchell, Michael Cregan, Henry G. Leask, John E. McGowan, Robert G. McCord, Francis Mangin, Whitfield Van Cott and Bernard C. Ryan, as clerks and assistant clerks of the district courts in the city of New York," being announced for a third reading,

Mr. Strahan moved to recommit said bill to the committee on the

judiciary, with instructions to amend the same by inserting the name of "Terence Duffy" after the name of "Henry G. Leask," in lines 3, 8, 18 and 28 of said printed bill, and to correct an error in engrossing, "Henry P. Leask" should read "Henry G. Leask;" with power to report said bill back to the House at any time, retaining its place on the order of third reading of bills.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Ecclesine introduced a bill entitled "An act in relation to the improvement of the Croton aqueduct in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

On motion of Mr. Husted, at 10 o'clock and 5 minutes the House adjourned.

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## TUESDAY, JANUARY 30, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Gallagher.

The journal of yesterday was read and approved.

Mr. Speaker presented the annual report of the Acting Superintendent of the Insurance Department; which was laid on the table and ordered printed.

(See Doc. No. .)

This being the day assigned by the rules for the consideration of general orders,

Mr. Speaker announced the order of business, "general orders," when

Mr. Husted moved that the bill entitled "An act to provide for the completion of the census or enumeration of the inhabitants of this State," be recommitted to the committee on ways and means, retaining its place on the order of "general orders."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to legalize the action of the village of Whitehall."

"An act making appropriations for the payment of the principal and the interest of the canal debt for the fiscal year commencing on the 1st day of October, 1877, and to provide for the payment of the principal and interest of the debt contracted under section 12 of article 7 of the Constitution."

"An act to authorize a tax of one-third of a mill per dollar of valuation to provide for a deficiency in the Sinking Fund, under section 3 of article 7 of the Constitution."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Post, from said committee, reported in favor of the passage of said first, second and third mentioned bills; which report was agreed to, and said bills ordered engrossed for a third reading.

On motion of Mr. Herrick and by unanimous consent, the Senate bill



entitled "An act authorizing the board of supervisors of the county of Albany to issue bonds to pay a portion of the bonds of said county that will mature during the year 1877," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 97 }  
 } NOES 00 }

Those who voted in the affirmative, were

Alvord	Ecclesine	Lang	Proper
Backenstose	Fay	Langbein	Purdy
Baker	Filkin	Langner	Rice
S. Baldwin	Fish	Longyear	H. H. Rockwell
M. L. Baldwin	Flecke	Lyon	Ruggles
Barnes	Floyd-Jones	Maher	Sanders
Billings	Gallagher	Marvin	Santee
Bissell	Galvin	Maynard	Shanley
Bowen	Gere	McFalls	Shannon
Brill	Gilbert	McGraw	Skinner
J. H. Brown	Grady	McGroarty	Sliter
Bulmer	J. G. Graham	Moller	Stein
Burns	J. S. Graham	Moody	Stephenson
E. Case	Gulick	Moore	Suydam
G. M. Case	Hamilton	Morey	Tabor
T. A. Case	Hammond	Neilson	Taylor
Clapp	Herrick	Niven	Thistlethwaite
Corbett	Hodges	Noyes	Valentine
Corsa	Hogeboom	O'Hare	Waddell
Coulter	Holahan	Orr	Weiant
Cowdin	Humphrey	Peck	Welsh
Cozans	Husted	Piper	Wickes
Crowley	Keator	Post	Williams
Curran	King	Potter	Winch
Davenport			

*Ordered,* That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to provide for the superintendent of the poor of the county of Otsego, to be the keeper of the poor-house of said county."

"An act to provide for the payment of the interest due on certain bonds of the county of Greene, known as the bonds to refund taxes to banks, by issuing new bonds."

"An act to enable the town of Duaneburgh, Schenectady county, to issue bonds to pay debts incurred under the provisions of chapter 64, Laws of 1856, and chapter 401, Laws of 1857."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Strahan, from said committee, reported in favor of the passage of said first mentioned bill, the title amended by inserting after the word "Otsego," the words "to be the;" which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Strahan, from said committee, also reported in favor of the passage of said second and third mentioned bills, the third mentioned with amendments; which report was agreed to, and said bills ordered engrossed for a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to authorize the election of an additional justice of the peace in the town of Rossie in the county of St. Lawrence."

Senate, "An act to amend chapter 613 of the Laws of 1875, entitled 'An act to authorize the formation of corporations for the safe-keeping and guaranteeing of personal property.'"

"An act to amend section 29 of article 3, chapter 6, title 6 of part 1 of the Revised Statutes relating to the compensation of electors of President and Vice-President of the United States."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. McGroarty, from said committee, reported in favor of the passage of said first and third mentioned bills; which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. McGroarty, from said committee, also reported in favor of the passage of said second mentioned bill; which report was agreed to, and said bill ordered to a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to provide for the election of an additional justice of the peace in the town of Harmony, in the county of Chautauqua."

"An act to provide for the completion of the court-house in the third judicial district in the city of New York."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Nachtmann, from said committee, reported in favor of the passage of said first mentioned bill, with amendments, the title amended by inserting after the word "peace" the words "and constable;" which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Nachtmann, from said committee, also reported progress on said second mentioned bill, and asked and obtained leave to sit again.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act in relation to collectors and receivers of taxes."

"An act to repeal section 2 of chapter 487 of the Laws of 1875, entitled 'An act to alter the commissioners' map of the city of Brooklyn, and for other purposes,' passed June 5, 1875."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Mitchell, from said committee, reported in favor of the passage of said first mentioned bill; which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Mitchell, from said committee, also reported progress on said second mentioned bill, and asked leave to sit again.

The question being on granting leave,

Mr. Husted moved that the committee of the whole be discharged from the further consideration of said bill and the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Spinola moved to recommit said bill to the committee on affairs

of cities with instructions to report the same back to the House complete, at any time.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Moody introduced a bill entitled "An act to extend the charter of the Chenango Canal Bridge Company, in the county of Broome," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. T. A. Case introduced a bill entitled "An act to incorporate the Grand Lodge of the Ancient Order of United Workmen of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Hammond introduced a bill entitled "An act to enable the electors of the town of Wappinger, Dutchess county, to vote by district for town officers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a petition on the same subject, which was read and referred to the same committee.

Also, a bill entitled "An act to amend an act entitled 'An act to incorporate the Union Stock Yard and Market Company,' passed May 7, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Tabor introduced a bill entitled "An act to amend chapter 559 of the Laws of 1874, entitled 'An act to incorporate the Niagara Grand Island Bridge Company,' passed May 22, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. McGroarty introduced a bill entitled "An act to establish a State board of health," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Mr. Marvin introduced a bill entitled "An act to amend an act entitled 'An act to authorize the appointment of a person to be public administrator in the county of Kings, and to determine the powers and duties of such officer,' passed April 6, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Morey introduced a bill entitled "An act authorizing the supervisor and justices of the peace of the town of Avon, in the county of Livingston, to convey to the Avon Cemetery Association certain lands situate in the village of Avon," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Flecke introduced a bill entitled "An act to provide for the completion of county buildings in the city and county of New York, and abolishing the present commissioners of the new county court-house," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Ecclesine introduced a bill entitled "An act to provide for the laying out of a public park or place in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to facilitate the service of process upon

public officers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Langbein introduced a bill entitled "An act relating to the payment of assessments, and the interest thereon, upon real estate in the city and county of New York, and for the relief of the owners thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act relative to the settlement of cases on appeal, and providing for new trials," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to secure a stay of proceedings pending appeals from orders," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Strahan introduced a bill entitled "An act to create a court in the city of New York to be known as the 'city court of New York,' and to abolish the marine court of said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Fish introduced a bill entitled "An act to except Lake Mahopac, in the county of Putnam, from the provisions of chapter 56, Laws of 1871, entitled 'An act to provide a further supply of pure and wholesome water for the city of New York,' passed February 27, 1871, and acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Floyd-Jones introduced a bill entitled "An act to preserve the purity of elections," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Lang introduced a bill entitled "An act to require the clerk of each of the boards of supervisors of the several counties of this State to furnish a copy of the proceedings of the several boards of supervisors to the librarian of the State library," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Hamilton introduced a bill entitled "An act to amend an act entitled 'An act regulating the sale of intoxicating liquors,' passed April 11, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Potter introduced a bill entitled "An act to amend section 10 of title 15, of chapter 20 of the first part of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. J. S. Graham introduced a bill entitled "An act in relation to the board of excise commissioners of the city of Rochester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to release the interest of the people of the State of New York in certain real estate in the city of Rochester, to Thomas Knowles," which was read the first time, and by unanimous

consent was also read the second time, and referred to the committee on petitions of aliens.

Also, a bill entitled "An act to amend chapter 143 of the Laws of 1861, entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' passed April 8, 1861, and the various acts amendatory thereof, or relating to the city of Rochester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Hogeboom introduced a bill entitled "An act to amend an act entitled 'An act to authorize the formation of town insurance companies,' passed April 17, 1857, and the several acts amendatory thereof, so far as the same may apply to the Claverack Fire Insurance Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Tighe introduced a bill entitled "An act requiring agreements for brokerage or commissions on sales or exchange of, or on procuring the loan of money on real estate, when such brokerage or commission amounts to the sum of fifty dollars or more, to be in writing," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Tighe, and by unanimous consent, said bill was ordered printed.

Mr. Herrick introduced a bill entitled "An act to amend an act entitled 'An act to facilitate the construction of railroads and tram-ways within the counties of Essex and Clinton, and to authorize the formation of companies therefor,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Marvin introduced a bill entitled "An act to amend an act entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof,' passed June 28, 1873, and to further amend the charter of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. J. G. Graham, from the committee on insurance, to which was referred the bill introduced by Mr. Skinner, Int. No. 78, entitled "An act to amend the charter of the Watertown Fire Insurance Company of Watertown, N. Y.," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. J. S. Graham presented a petition of citizens of Rochester for repeal of act establishing a municipal court in the city of Rochester; which was read and referred to the committee on affairs of cities.

Mr. Winch presented a petition of citizens of Ontario county that said county be exempt from the provisions of the proposed game law, so far as the same prohibits the killing of hares or rabbits; which was read and referred to the committee on game laws.

Mr. Corbett presented a petition of citizens of Utica for admission of the Seventh ward in said city; which was read and referred to the committee on affairs of cities.

Mr. Tabor presented the petition of E. A. Deveau for leave to experiment in the propulsion of canal boats by steam, etc., on the Erie canal; which was read and referred to the committee on canals.

Mr. Corsa presented a petition of residents of the city of New York,

that legislation be adopted to secure better management of life insurance companies; which was read and referred to the committee on insurance.

Mr. Ruggles called from the table a resolution previously offered by him, in the words following:

*Resolved*, That the committee on ways and means be, and is hereby instructed to inquire and report to this House, whether, in the judgment of the committee, a wise policy, having in view both the interests of the tax-payers and the general educational interests of the State, does not demand a discontinuance, henceforth, of all annual appropriations of money by the Legislature for the special benefit and maintenance of the normal schools of this State, and that such schools should be abandoned as State institutions.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Fish offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the Clerk of the House be requested to furnish the committee on affairs of cities with copies of the Session Laws of 1870, 1871, 1872, 1873, 1874, 1875, 1876.

*Ordered*, That said resolution be referred to the committee on expenditures of the House.

Mr. Ecclesine offered for the consideration of the House a resolution, in the words following:

*Resolved*, That 500 extra copies be printed of the Clerk's Manual, or Blue Book.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. J. S. Graham offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the bill entitled "An act to amend chapter 143 of the Laws of 1841, entitled 'An act to amend and consolidate the various acts in relation to the city of Rochester,'" introduced this day and referred to the committee on affairs of cities, be printed and placed on the files of members.

*Ordered*, That said resolution be referred to the committee on public printing.

By unanimous consent,

Mr. Tighe introduced a bill entitled "An act to repeal chapter 166 of the Laws of 1873, entitled 'An act in reference to the summoning of jurors in the county of Kings, and fixing the compensation of the sheriff therefor,' passed April 1, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Bowen offered for the consideration of the House a resolution, in the words following:

*Resolved*, That Assembly bill No. 60, relating to the police force in the county of Richmond, be referred back to the committee on internal affairs, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The bill entitled "An act establishing the salary of the deputy Comptroller and making appropriations for certain expenses of the govern-

ment, and supplying deficiencies in former appropriations, for the fiscal year ending September 30, 1877," being announced for a third reading, On motion of Mr. Alvord, and by unanimous consent, said bill was laid aside.

The bill entitled "An act to amend section 3 of chapter 767 of the Laws of 1872, entitled 'An act to establish the compensation of county judges and surrogates, pursuant to the fifteenth section of the amended sixth article of the Constitution,' passed May 17, 1872," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Fish	Marvin	H. H. Rockwell
Backenstose	Flecke	Maynard	W. L. Rockwell
Baker	Floyd-Jones	McFalls	Ruggles
S. Baldwin	Gallagher	McKee	Sager
M. L. Baldwin	Galvin	Mitchell	Sanders
Barnes	Gere	Moller	Shanley
Bissell	Gilbert	Moody	Shannon
Brill	Grady	Moore	Sheldon
J. S. Brown	J. G. Graham	Morey	Skillman
Burns	J. S. Graham	Nachtmann	Skinner
G. M. Case	Gulick	Neilson	Smith
T. A. Case	Hamilton	Niven	Spicer
Childs	Hammond	Noyes	Stein
Clapp	Herrick	O'Hare	Stephenson
Corsa	Hodges	Orr	Strahan
Coulter	Hogehoom	Peck	Suydam
Cowdin	Holahan	Piper	Tabor
Cozans	Humphrey	Post	Taylor
Crowley	Keator	Potter	Thistlethwaite
Davenport	Langbein	Proper	Tighe
Ecclesine	Langner	Purdy	Valentine
Fay	Lyon	Rice	Williams
Filkin	Maher		

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to amend chapter 399 of the Laws of 1871, entitled 'An act to authorize the village of Corning, Steuben county, to borrow money to construct water-works for said village,' passed April 11, 1871," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Fish	McGraw	Sanders
Backenstose	Flecke	McGroarty	Santee
S. Baldwin	Floyd-Jones	McKee	Shanley
M. L. Baldwin	Gallagher	Mitchell	Shannon
Barnes	Galvin	Moody	Skillman
Bissell	Gere	Moore	Skinner
Bowen	Grady	Morey	Sliter
Brill	J. G. Graham	Nachtmann	Smith
J. S. Brown	J. S. Graham	Neilson	Spicer
E. Case	Gulick	Niven	Stein
G. M. Case	Hammond	Noyes	Stephenson
T. A. Case	Herrick	O'Hare	Strahan
Childs	Holahan	Peck	Suydam
Clapp	Humphrey	Post	Taylor
Corbett	Keator	Potter	Thistlethwaite
Coulter	Langbein	Proper	Tighe
Cowdin	Langner	Purdy	Welsh
Cozans	Maher	Rice	Wickes
Davenport	Marvin	W. L. Rockwell	Williams
Ecclesine	Maynard	Ruggles	Winch
Fay	McFalls	Sager	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The Senate returned the bill entitled "An act to authorize the extension of the time for the collection of taxes in the several towns of the State," with a message informing that they had passed the same, with the following amendments:

Section 1, line 3, after the word "him," insert the words "shall make his return to the treasurer of his county, as now required by law, of all unpaid taxes on lands of non-residents." Line 4, before the word "taxes," insert the words "all other"; after the word "taxes" insert the words "of the year 1876."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Fish	McFalls	W. L. Rockwell
Backenstose	Floyd-Jones	McGraw	Ruggles
Baker	Gallagher	McGroarty	Sager
S. Baldwin	Galvin	McKee	Sanders
Barnes	Gere	Mitchell	Shanley
Bissell	Gilbert	Moller	Shannon
Bowen	Grady	Moody	Skillman
Brill	J. G. Graham	Moore	Skinner
J. S. Brown	J. S. Graham	Morey	Sliter
Burns	Gulick	Nachtmann	Smith



G. M. Case	Hammond	Neilson	Speaker
T. A. Case	Hodges	Niven	Spicer
Clapp	Hogeboom	Noyes	Stein
Corbett	Holahan	O'Hare	Stephenson
Coulter	Husted	Orr	Strahan
Cowdin	Keator	Peck	Suydam
Cozans	Langbein	Piper	Taylor
Crowley	Langner	Post	Thistlethwaite
Davenport	Lyon	Proper	Welsh
Ecclesine	Maher	Purdy	Wickes
Fay	Maynard	Rice	Winch
Filkin			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate bill entitled "An act to amend chapter 613 of the Laws of 1875, entitled 'An act to authorize the formation of corporations for the safe-keeping and guaranteeing of personal property,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Baker	Galvin	Maynard	Sager
S. Baldwin	Gere	McFalls	Sanders
M. L. Baldwin	Gilbert	McGraw	Shanley
Barnes	Grady	McGroarty	Shannon
Bissell	J. G. Graham	McKee	Skillman
Brill	Gulick	Mitchell	Skinner
J. S. Brown	Hamilton	Moller	Spicer
Barns	Hammond	Moody	Stein
T. A. Case	Hayes	Moore	Stephenson
Corbett	Healy	Morey	Strahan
Coulter	Hodges	Nachtmann	Suydam
Cowdin	Hogeboom	Niven	Taylor
Cozans	Humphrey	O'Hare	Thistlethwaite
Crowley	Husted	Orr	Tighe
Davenport	Keator	Peck	Valentine
Ecclesine	Langbein	Piper	Welsh
Filkin	Langner	Post	Wickes
Fish	Lyon	Potter	Williams
Flecke	Maher	Rice	Winch
Floyd-Jones	Marvin	Ruggles	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The hour of 2 o'clock having arrived, the House adjourned.

WEDNESDAY, JANUARY 31, 1877.

The House met pursuant to adjournment.

Prayer by Rev. J. B. Campbell.

The journal of yesterday was read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the resolutions in the words following :

*Whereas*, The annual message of his excellency the Governor invites the attention of the Legislature to the questions growing out of the recent presidential election ; and

*Whereas*, The Constitution of the United States provides that in the election of the President each State shall appoint, in such manner as the Legislature thereof may direct, a number of electors equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress, which electors are to meet and cast the vote of the State, and certify and transmit the same to the seat of the government of the United States, directed to the President of the Senate ; therefore

*Resolved* (if the Assembly concur), That this provision fixes the intent of the Constitution, that the several States shall determine each for itself the mode of appointing the electors and of lawfully establishing who are appointed ; and that the vote of the electors thus appointed and lawfully certified shall be received and counted as the vote the State.

*Resolved* (if the Assembly concur), That a majority of the votes of the electors thus appointed by the several States, and meeting in their respective States in conformity with law, on the sixth day of December last, determined the election of President and Vice-President of the United States, and that it only remains to make lawful declaration of the result so determined.

*Resolved* (if the Assembly concur), That every State in full and undisturbed relations with the Union is entitled to participate in the election of President, and that the lawfully certified votes of its electors appointed in the manner directed by its Legislature and subject only to the constitutional conditions, represent and embody the expressed will of the State in accordance with the principles enunciated by Daniel Webster, "that the will of the people must prevail when it is ascertained," and that the only mode of ascertaining that will is "by some regular rule of proceeding prescribed by previous law."

*Resolved* (if the Assembly concur), That the declaration of the result of the presidential election should be strictly governed by the principles of the Constitution and by the established usages and practices under it ; that the action of the convention which framed the Constitution in organizing the new government thus created, when they resolved that the "Senators should appoint a President of the Senate for the sole purpose of receiving, opening, and counting the votes for President ;" that the argument of Charles Pinckney, a distinguished member of the convention, made in the debates of eighteen hundred, in which he stated that "in the federal convention great care was taken to provide for the election of President independently of Congress ; to take the business, as far as possible, out of their hands ;" that the opinion of Henry Clay, expressed

in subsequent debate, in which he declared that, unless the two houses agreed upon a different method, "the President of the Senate would proceed to open and count the votes;" that the opinion of Chancellor Kent, which, for half a century, has remained unchallenged and unquestioned, in which "he held that, in the absence of legislative provision on the subject, the President of the Senate counts the votes and determines the result," combine to interpret the intent of the framers of the Constitution. Without going beyond its appropriate province, the Legislature of New York earnestly insists that no partisan efforts should be allowed to defeat or embarrass the orderly course of law which is so essential to the welfare and perpetuity of the republic.

*Resolved* (if the Assembly concur), That the lawful declaration of the result of the election of President, as determined by the vote of a majority of the electors on the sixth day of December last is binding upon all, and that in making such declaration and in upholding the Constitution and the laws, the National authorities are entitled to the support of every patriotic citizen.

*Resolved* (if the Assembly concur), That any threat to disregard the result of the Presidential election, and its lawful declaration, is incendiary in spirit and revolutionary in character; that every attempt to inflame partisan feeling, and excite political passions, upon a question which has passed beyond the appropriate arena of partisan conflict, and remains only to be declared according to truth and law, calls for unqualified condemnation, and that the united voice of the people must enforce, as the supreme obligation of the hour, the duty of prompt and unhesitating acceptance of the legal determination.

Said resolutions being concurrent,

*Ordered*, That the same be laid on the table.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act in relation to the Superintendent of State prisons," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act extending to corporations located in and organized under the laws of other States, certain rights and powers now possessed by similar corporations of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A message from the Senate was received and read, requesting the concurrence of the Assembly to a resolution in the words following:

*Resolved* (if the Assembly concur), That there be printed for the use of the Legislature, 2,000 copies of the report, recommendations and conclusions, without the evidence of the commission appointed to take into consideration the subject of the sale or abandonment of the lateral canals.

Said resolution being concurrent,

*Ordered*, That the same be laid on the table.

The privileges of the floor were granted to the Hon. Charles Duryea.

Mr. Speaker presented the annual report of the Eclectic Medical Society of the State of New York; which was laid on the table and ordered printed.

(See Doc. No. .)

Mr. H. H. Rockwell introduced a bill entitled "An act to incorporate the Horseheads Fire Department," which was read the first time, and by

unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Welsh introduced a bill entitled "An act to amend an act entitled 'An act for the incorporation of villages,' passed April 20, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Langner introduced a bill entitled "An act to amend an act entitled 'An act regulating the sale of intoxicating liquors,' passed April 11, 1870, to amend chapter 549 of Laws of 1873, passed May 21, 1873, and an act entitled 'An act to suppress intemperance, and to regulate the sale of intoxicating liquors,' passed April 16, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Clapp introduced a bill entitled "An act to amend an act entitled 'An act establishing a ferry from Barber's Point, in the town of Westport, in the county of Essex, across Lake Champlain, and to repeal chapter 495 of the Laws of 1871, passed May 1, 1872,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Gilbert introduced a bill entitled "An act supplemental to the Code of Remedial Justice," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Stephenson introduced a bill entitled "An act to amend an act to amend the charter of the city of Brooklyn, and the various amendments thereof, passed June 28, 1873, and to further amend the charter of the city of Brooklyn, as amended by an act for that purpose, passed June 1, 1874, and as further amended by an act for that purpose entitled 'An act to amend the charter of the city of Brooklyn,' being the act for that purpose passed June 28, 1873, and the act for that purpose passed June 1, 1874, passed June 21, 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Marvin introduced a bill entitled "An act in relation to transcripts and docketing judgments recovered in justices' courts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Tighe introduced a bill entitled "An act relating to the jail in the county of Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. McGroarty introduced a bill entitled "An act to create a police pension fund for disabled and retired policemen in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to repeal chapter 703 of the Laws of 1873, entitled 'An act to authorize the extension of railroad tracks on Buffalo avenue and other streets and avenues in the city of Brooklyn and county of Kings,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Bradley introduced a bill entitled "An act to regulate the sale of ale, beer, lager beer, and other fermented liquors," which was read the

first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Morey introduced a bill entitled "An act supplementary to chapter 278 of the Laws of 1866, entitled 'An act authorizing the incorporation of associations to erect monuments to perpetuate the memory of soldiers who fell in defense of the union,' passed March 30, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia.

Mr. Hodges introduced a bill entitled "An act to prevent agricultural societies which offer premiums for trials of speed between horses, from receiving money appropriated to agricultural societies by this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Mr. Hayes introduced a bill entitled "An act relating to the operations of the United States Coast Survey in the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Cowdin introduced a bill entitled "An act to provide for the abatement of nuisances in or affecting cities," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Mr. Langbein introduced a bill entitled "An act in relation to persons in the employ of the several departments of the local government in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Stein introduced a bill entitled "An act to amend sections 6 and 29 of chapter 495 of the Laws of 1875, entitled 'An act relating to the Court of Arbitration of the Chamber of Commerce of the State of New York, and to provide for the expense thereof,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Barnes introduced a bill entitled "An act to amend an act entitled 'An act relative to the common school fund of Edmeston, in the county of Otsego,' passed February 26, 1828," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Floyd-Jones introduced a bill entitled "An act to establish the boundaries of School district No. 5, of the town of Flushing, and to provide for the collection of school taxes therein, and conferring additional powers and duties upon the board of education of said district," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Bulmer introduced a bill entitled "An act to prevent fraud, and regulate the carrying of passengers in stages, etc., outside of cities," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Burns introduced a bill entitled "An act in relation to convict labor in the prisons and penitentiaries," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

Mr. Weiant introduced a bill entitled "An act to authorize the formation of societies for the protection of property, and the more effectual prevention and detection of crime," which was read the first time, and

unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Noyes introduced a bill entitled "An act to release certain lands which have escheated to the State, to Sarah Henry, widow of John Fagan, late of Saratoga Springs, N. Y.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

Also, a petition on the same subject, which was read and referred to the same committee.

Mr. Ruggles introduced a bill entitled "An act to amend chapter 270 of the Laws of 1876, entitled 'An act to incorporate the Grand Army of the Republic Soldiers' Home of the State of New York,' passed May 15, 1876," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Niven introduced a bill entitled "An act to release the interest of the people of the State of New York in certain real estate in the city of New York to Letitia Hanson," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

Also, a bill entitled "An act to regulate the collection of taxes on lands of non-residents in the county of Sullivan," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Thistlethwaite introduced a bill entitled "An act to provide for the equitable apportionment of taxes between subdivisions of this State, and to authorize towns, cities and villages to exempt property from taxation in their respective jurisdictions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Herrick introduced a bill entitled "An act in relation to Congress Hall," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

The hour of 12 o'clock having arrived,

Mr. Speaker announced that pursuant to law and a joint resolution of the Senate and Assembly, the House would now proceed to the nomination of two Regents of the University, in place of James W. Booth, deceased, and George R. Perkins, deceased.

The House then proceeded to the nomination of a Regent of the University in the place of James W. Booth, deceased, and each member, as his name was called by the Clerk, rose in his place and nominated as follows:

#### FOR CHAUNCEY M. DEPEW.

Alvord	Cowdin	Langbein	Skinner
Backenstose	Fay	Marvin	Smith
Baker	Fish	McFalls	Speaker
S. Baldwin	Gallagher	McGraw	Spicer
M. L. Baldwin	Gere	McKee	Stephenson
Barnes	Gilbert	Moody	Strahan
Billings	J. S. Graham	Moore	Suydam
Billington	Gulick	Morey	Taylor
Bowen	Hammond	Noyes	Thistlethwaite

J. S. Brown	Hayes	Orr	Valentine
E. Case	Herbst	Peck	Waddell
G. M. Case	Hodges	Post	Webb
T. A. Case	Hogeboom	Potter	Welsh
Clapp	Husted	Santee	Wickes
Clark	Keator	Shannon	Williams
Corbett	Lang	Skillman	Winch
Corsa			

65

## FOR PARKE GODWIN.

Bissell	Flecke	Mitchell	Ruggles
Bradley	Floyd-Jones	Moller	Sager
Brill	Galvin	Nachtmann	Sanders
J. H. Brown	Grady	Neilson	Shanley
Burns	Hamilton	Niven	Sliter
Childs	Healy	O'Hare	Spinola
Coulter	Herrick	Piper	Stein
Cozans	Holahan	Proper	Stone
Crowley	Humphrey	Purdy	Tabor
Curran	Langner	Rice	Tighe
Davenport	Lyon	H. H. Rockwell	Weiant
Dimond	Maynard	W. L. Rockwell	Wemple
Ecclesine	McGroarty		

50

A quorum having voted, and a majority having named Chauncey M. Depew, of New York county, as their choice,

Mr. Speaker announced that Chauncey M. Depew, of the county of New York, had been duly nominated on the part of the House for Regent of the University in place of James W. Booth, deceased.

Mr. Speaker then announced that the House would proceed to the nomination of a Regent of the University in place of George R. Perkins, deceased.

The House then proceeded to the nomination of a Regent of the University in place of George R. Perkins, deceased, and each member, as his name was called by the Clerk, rose in his place and nominated as follows :

## FOR CHARLES E. FITCH.

Alvord	Cowdin	Langbein	Skinner
Backenstose	Kay	Marvin	Smith
Baker	Fish	McFalls	Speaker
S. Baldwin	Gallagher	McGraw	Spicer
M. L. Baldwin	Gere	McKee	Stephenson
Barnes	Gilbert	Moody	Strahan
Billings	J. S. Graham	Moore	Suydam
Billington	Gulick	Morey	Taylor
Bowen	Hammond	Noyes	Thistlethwaite
J. S. Brown	Hayes	Orr	Valentine
E. Case	Herbst	Peck	Waddell
G. M. Case	Hodges	Post	Webb
T. A. Case	Hogeboom	Potter	Welsh
Clapp	Husted	Santee	Wickes
Clark	Keator	Shannon	Williams
Corbett	Lang	Skillman	Winch
Corsa			

65

## FOR WILLIAM PURCELL.

Bissell	Flecke	Mitchell	Ruggles
Bradley	Floyd-Jones	Moller	Sager
Brill	Galvin	Nachtmann	Sanders
J. H. Brown	Grady	Neilson	Shanley
Burns	Hamilton	Niven	Sliter
Childs	Healy	O'Hare	Spinola
Coulter	Holahan	Piper	Stein
Cozans	Humphrey	Proper	Stone
Crowley	Langner	Purdy	Tabor
Curran	Lyon	Rice	Tighe
Davenport	Maher	H. H. Rockwell	Weiant
Dimond	Maynard	W. L. Rockwell	Wemple
Ecclesine	McGroarty		

50

A quorum having voted, and a majority thereof having named Charles E. Fitch of Monroe county, as their choice,

Mr. Speaker announced that Charles E. Fitch, of Monroe county, had been duly nominated on the part of the House for Regent of the University in place of George R. Perkins, deceased.

Senators Emerson and Morrissey, a committee from the Senate, appeared in the Assembly Chamber and informed the House that the Senate had made nominations for Regents of the University.

On motion of Mr. Hogeboom,

*Resolved*, That a committee of two be appointed to inform the honorable the Senate that the Assembly have made their nominations for Regents of the University, and are ready to meet the Senate in the Assembly Chamber and compare such nominations.

Mr. Speaker appointed as such committee Messrs. Hogeboom and Lyons.

Mr. Hogeboom, from said committee, reported that they had discharged that duty.

The Senate appeared in the Assembly Chamber, and the President of the Senate, upon taking the chair, announced that the Senate and Assembly were in joint convention for the purpose of nominating two Regents of the University in place of James W. Booth and George R. Perkins, deceased.

The Clerk of the Senate then read the proceedings of the Senate, and the Clerk of the Assembly the proceedings of the Assembly relating thereto.

The nominations being found to agree, the President of the Senate announced and declared that Chauncey M. Depew, of New York county, was duly elected Regent of the University in place of James W. Booth, deceased; and Charles E. Fitch, of Monroe county, was duly elected Regent of the University, in place of George R. Perkins, deceased.

The Senate having retired from the Assembly Chamber,

The Chair announced that on the joint meeting of the Senate and Assembly to compare nominations for the office of Regent of the University, the nominations of the two Houses were found to agree, and that, as declared by the President of the Senate, Chauncey M. Depew, of New York county, was duly elected Regent of the University, in place of James W. Booth, deceased; and Charles E. Fitch, of Monroe county, was duly elected Regent of the University in place of George R. Perkins, deceased.



The House then resumed the order of business, "introduction of bills."

Mr. Hammond introduced a bill entitled "An act in relation to judicial sales of real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act for the better and safer management of horse railroads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Fish, from the committee on affairs of cities, to which was recommended the bill entitled "An act to repeal section 2 of chapter 487 of the Laws of 1875, entitled 'An act to alter the commissioners' map of the city of Brooklyn, and for other purposes,' passed June 5, 1875," with power to report complete, reported the same complete, which report was agreed to.

By unanimous consent,

Mr. Mitchell introduced a bill entitled "An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Gallagher introduced a bill entitled "An act repealing an act entitled 'An act relating to fares for carrying passengers on street railroads in the city of Buffalo,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Hogeboom, Int. No. 225, entitled "An act to authorize the board of supervisors of the county of Columbia to provide for the payment of the principal of a portion of the bounty debt of said county, by issuing new bonds," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. J. S. Brown, Int. No. 113, entitled "An act to authorize the payment of certain moneys out of the State treasury to the heir-at-law of James Green, deceased," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Piper, Int. No. 231, entitled "An act to amend an act entitled 'An act to establish the compensation of county judge and surrogate, pursuant to the fifteenth section of the amended sixth article of the Constitution,'" reported in favor of the passage of the same, with amendments, the title amended so as to read "An act to amend chapter 767 of the Laws of 1872, entitled 'An act to establish the compensation of county judges and surrogates, pursuant to the fifteenth section of the amended sixth article of the Constitution,'" which report was agreed to, and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the resolution relative to the New Capitol, submitted the following report:

*Whereas*, There is now being expended about the sum of \$10,000 per week in the dressing of stone for the New Capitol building, according to the modified plans adopted in June last; and

*Whereas*, It is uncertain whether this Legislature will approve such plans, or appropriate money under them; and

*Wherein*, The said money will be wasted and lost to the State should the building be continued according to the original designs after which the building has been thus far erected; therefore

*Resolved* (if the Senate concur), That the New Capitol Commissioners be instructed forthwith to suspend all work, upon the exterior of said building, which is designed to carry out such new plans, until the determination of the Legislature shall be known as to whether said building shall be constructed according to such original designs or according to the new plans.

JAMES W. HUSTED,  
T. G. ALVORD,  
JNO. T. HOGEBOOM,  
GEO. I. POST,

ISAAC I. HAYES,  
DANIEL BRADLEY,  
I. H. MAYNARD,  
LUKE F. COZANS,

*Committee.*

On motion of Mr. Husted, and by unanimous consent, said resolution was considered.

Mr. Spinola moved to strike out all after the word "Resolved."

Mr. Husted moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Spinola, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Fish, Int. No. 29, entitled "An act to provide for the custody and reformatory treatment of vagrants and disorderly persons," reported in favor of the passage of the same, with amendments, the title amended so as to read "An act to provide for the custody and reformatory treatment of vagrants," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Maynard, Int. No. 198, entitled "An act to provide for the appointment of special surrogate," reported in favor of the passage of the same, with amendments, the title amended so as to read "An act to provide for the appointment, and to establish the fees of special surrogate," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Moody, Int. No. 205, entitled "An act to amend chapter 277 of the Laws of 1876, entitled 'An act to amend section 15 of article 2, title 4 of chapter 2 of part 3 of the Revised Statutes, relating to justices' courts,'" reported adversely thereto.

Mr. Moody moved to lay said report on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Cowdin, Int. No. 229, entitled "An act relating to copartnerships," reported adversely thereto, which report was agreed to.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Hayes, Int. No. 237, entitled "An act as to the sale of lands devised by Charlotte E. Jenkins, deceased, in the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hogeboom, from the committee on general laws, to which was referred the bill introduced by Mr. Post, Int. No. 147, entitled "An act to amend section 31 of article 3 of title 2 of chapter 13 of part 1 of the Revised Statutes, in relation to the equalization of assessments by boards of supervisors," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on railroads, to which was referred the bill introduced by Mr. Clark, Int. No. 109, entitled "An act to change the name of the Rochester and Pine Creek Railroad Company to that of the Silver Lake Railroad Company," reported in favor of the passage of the same, with amendments; which report was agreed to, and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on public printing, to which was referred the resolution relative to ascertaining if the printing of bills on their introduction and before reported from committees, causes an additional expense under the contract for legislative printing, reported in favor of the adoption of the following resolution:

*Resolved*, That in the judgment of the printing committee the printing of bills upon their introduction, and before reported from committees, does cause an additional expense to the State under the contract for legislative printing.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Skinner, from the committee on public printing, to which was referred the resolution relative to printing extra copies of a portion of the report of the commission to investigate the condition of the lateral canals, reported in favor of the adoption of the following resolution:

*Resolved* (if the Senate concur), That there be printed for the use of the Legislature 1,000 copies of that portion of the report of the commission to investigate the condition of the lateral canals that contains the conclusions and recommendations of the commission, provided the cost of printing the same does not exceed ten cents per page for 100 copies.

The question being on agreeing to said report,

On motion of Mr. McKee, and by unanimous consent, the Senate resolution was taken from the table and substituted for Assembly resolution, in the words following:

*Resolved* (if the Assembly concur), That there be printed for the use of the Legislature 2,000 copies of the report, recommendations and conclusions, without the evidence, of the commission appointed to take into consideration the subject of the sale or abandonment of the lateral canals.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 80 }  
{ NOES 13 }

Those who voted in the affirmative, were

Alvord	Davenport	Langbein	Sager
Backenstose	Ecclesine	Maher	Shanley
Baker	Fay	Marvin	Shannon
S. Baldwin	Fish	McFalls	Skillman
M. L. Baldwin	Flecke	McGraw	Skinner
Barnes	Floyd-Jones	McGroarty	Speaker
Billings	Galvin	McKee	Spicer
Bissell	Gilbert	Moller	Stephenson
Bowen	Gulick	Moody	Stone
Bradley	Hamilton	Moore	Strahan
Brill	Hammond	Morey	Suydam
E. Case	Hayes	Nachtmann	Taylor
G. M. Case	Healy	O'Hare	Thistlethwaite
T. A. Case	Herbst	Orr	Tighe
Childs	Hodges	Peck	Valentine
Corbett	Hogehoom	Piper	Waddell
Corsa	Humphrey	Post	Webb
Coulter	Husted	Potter	Welsh
Cowdin	Keator	Rice	Wickes
Curran	Lang	Ruggles	Winch

Those who voted in the negative, were

J. S. Brown	J. S. Graham	Niven	Stein
Burns	Holahan	Purdy	Weiant
Crowley	Maynard	Santee	Williams
Grady			

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have passed the same.

Mr. Skinner, from the committee on public printing, to which was referred the resolution relative to printing extra copies of the communication from the Secretary of the Board of Regents, reported in favor of the adoption of the following resolution:

*Resolved* (if the Senate concur), That 300 extra copies of the communication from the secretary of the Board of Regents, inclosing a report on the subject of strengthening the position and enlarging the influence of the colleges of the State, be printed for the use of the Regents of the University, provided the cost of printing the same does not exceed ten cents per page per 100 copies.

Mr. Weiant moved to amend by striking out the word "extra."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the negative.

{ AYES 60 }  
{ NOES 38 }

Those who voted in the affirmative, were

Alvord	Gallagher	McGraw	Sanders
Backenstose	Galvuu	McGroarty	Santee

Baker	Gere	McKee	Skinner
S. Baldwin	Gilbert	Mitchell	Smith
M. L. Baldwin	Gulick	Moller	Speaker
Billings	Hammond	Moody	Spicer
Billington	Hayes	Moore	Stephenson
Bowen	Herbst	Morey	Strahan
G. M. Case	Hodges	Neilson	Suydam
Clapp	Hogeboom	O'Hare	Taylor
Corbett	Husted	Orr	Thistlethwaite
Corsa	Lang	Peck	Waddell
Cowdin	Langbein	Post	Wickes
Filkin	Lyon	Potter	Williams
Fish	McFalls	Ruggles	Winch

Those who voted in the negative, were

Bissell	Crowley	Humphrey	Rice
Bradley	Davenport	Langner	H. H. Rockwell
Brill	Ecclesine	Maher	W. L. Rockwell
J. H. Brown	Flecke	Maynard	Sager
J. S. Brown	Floyd-Jones	Nachtmann	Shanley
Burns	Grady	Niven	Sliter
E. Case	J. S. Graham	Piper	Stone
Childs	Hamilton	Proper	Tighe
Coulter	Herrick	Purdy	Weiant
Cozans	Holahan		

Mr. J. S. Brown moved to reconsider the vote by which said report was lost.

Mr. Weiant moved to lay said motion on the table.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Weiant, and it was determined in the negative.

Mr. Hodges moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. J. S. Brown, and it was determined in the affirmative

{ AYES 82 }  
{ NOES 6 }

Those who voted in the affirmative, were

Alvord	Davenport	McGroarty	Skillman
Backenstose	Ecclesine	McKee	Skinner
Baker	Fay	Mitchell	Smith
M. L. Baldwin	Fish	Moody	Spicer
Barnes	Flecke	Moore	Spinola
Billings	Gallagher	Niven	Stephenson
Billington	Galvin	O'Hare	Stone
Bissell	Gere	Orr	Strahan
Bowen	Gilbert	Peck	Suydam
Brill	Hammond	Piper	Taber
Burns	Hayes	Post	Taylor
E. Case	Healy	Potter	Thistlethwaite
G. M. Case	Herbst	Rice	Tighe
T. A. Case	Hodges	W. L. Rockwell	Valentine

Clark	Hogeboom	Ruggles	Waddell
Corbett	Husted	Sager	Welsh
Corsa	Keator	Sanders	Wemple
Coulter	Lang	Santee	Wickes
Cowdin	Langbein	Shanley	Williams
Crowley	Marvin	Shannon	Winch
Curran	McFalls		

Those who voted in the negative, were

Childs	H. H. Rockwell	Stein	Weiant
Maynard	Sliter		

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative.

{ AYES 83 }  
{ NOES 10 }

Those who voted in the affirmative, were

Alvord	Ecclesine	McGraw	Shanley
Backenstose	Fay	McGroarty	Shannon
Baker	Fish	McKee	Skillman
M. L. Baldwin	Gallagher	Mitchell	Skinner
Barnes	Galvin	Moller	Smith
Billings	Gere	Moody	Speaker
Bissell	Gilbert	Moore	Spicer
Bowen	Gulick	Morey	Stephenson
Brill	Hamilton	Niven	Stone
E. Case	Hammond	O'Hare	Strahan
G. M. Case	Hayes	Orr	Suydam
T. A. Case	Healy	Peck	Taylor
Clapp	Herbst	Piper	Thistlethwaite
Clark	Hodges	Post	Valentine
Corbett	Hogeboom	Potter	Waddell
Corsa	Husted	Rice	Welsh
Coulter	Keator	W. L. Rockwell	Wemple
Cowdin	Lang	Ruggles	Wickes
Curran	Langbein	Sager	Williams
Davenport	Lyon	Sanders	Winch
Dimond	McFalls	Santee	

Those who voted in the negative, were

J. S. Brown	Holahan	H. H. Rockwell	Stein
Childs	Maynard	Sliter	Weiant
Grady	Nachtmann		

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Skinner, from the committee on public printing, to which was referred the resolution relative to printing extra copies of the Report of the Managers of the Hudson River State Hospital for the Insane, reported in favor of the adoption of the following resolution:

*Resolved* (if the Senate concur), That 300 copies of the Report of the Managers of the Hudson River State Hospital for the Insane, be printed for the use of the managers of said hospital, provided that the

expense of printing the same does not exceed ten cents per page per 100 copies.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

} AYES 71 }  
} NOES 15 }

Those who voted in the affirmative, were

Alvord	Filkin	Lyon	Sager
Backenstose	Fish	Marvin	Sanders
Baker	Flecke	McFalls	Santee
M. L. Baldwin	Gallagher	McGraw	Shanley
Barnes	Galvin	McGroarty	Shannon
Billings	Gere	McKee	Skillman
Billington	Gilbert	Moller	Skinner
Bissell	Gulick	Moody	Smith
Brill	Hamilton	Morey	Speaker
E. Case	Hammond	Niven	Spicer
G. M. Case	Häyes	O'Hare	Stephenson
Clark	Herbat	Orr	Stone
Corbett	Hodges	Peck	Suydam
Corsa	Hogeboom	Piper	Taylor
Coulter	Humphrey	Post	Thistlethwaite
Cowdin	Husted	Potter	Tighe
Curran	Keator	W. L. Rockwell	Valentine
Fay	Langbein	Ruggles	

Those who voted in the negative, were

Bradley	Ecclesine	Holahan	H. H. Rockwell
J. H. Brown	Grady	Langner	Stein
J. S. Brown	J. S. Graham	Maynard	Weiant
Childs	Healy	Nachtmann	

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Skinner, from the committee on public printing, to which was referred the resolution relative to printing extra copies of the financial and expenditure reports of the Auditor of the Canal Department, reported in favor of the adoption of the following resolution :

*Resolved* (if the Senate concur), That there be printed for the use of the Legislature 250 copies of the financial report, and 250 copies of the expenditure report of the Auditor of the Canal Department, for the fiscal year ending September 30, 1876 ; and that 400 copies of the financial report, and 100 copies of the expenditure report, be printed for the use of the Auditor, provided the cost of printing the same does not exceed ten cents per page per 100 copies.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

} AYES 71 }  
} NOES 13 }

Those who voted in the affirmative, were

Alvord	Galvin	McGroarty	Santee
Backenstose	Gere	McKee	Shanley
Baker	Gilbert	Moller	Shannon

M. L. Baldwin	J. S. Graham	Moody	Skillman
Barnes	Gulick	Moore	Skinner
Billings	Hammond	Morey	Smith
Bissell	Hayes	Neilson	Speaker
Bowen	Herbst	Niven	Spicer
Brill	Hodges	O'Hare	Suydam
E. Case	Hogeboom	Orr	Taylor
G. M. Case	Humphrey	Peck	Thistlethwaite
Corbett	Husted	Piper	Tighe
Cowdin	Keator	Post	Welsh
Curran	Langbein	Potter	Wemple
Filkin	Lyon	Rice	Wickes
Fish	Marvin	W. L. Rockwell	Williams
Flecke	McFalls	Ruggles	Winch
Gallagher	McGraw	Sanders	

Those who voted in the negative, were

Bradley	Ecclesine	Maynard	Sager
J. H. Brown	Grady	Nachtmann	Stein
J. S. Brown	Healy	H. H. Rockwell	Weiant
Burns			

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Skinner, from the committee on public printing, to which was referred the resolution relative to printing extra copies of the Report of the Trustees of the New York State Asylum for Idiots, reported in favor of the adoption of the following resolution :

*Resolved* (if the Senate concur), That 300 copies of the Report of the Trustees of the New York State Asylum for Idiots, be printed for the use of the trustees, provided the cost of printing the same does not exceed ten cents per page per 100 copies.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

{ AYES 73 }  
{ NOES 14 }

Those who voted in the affirmative, were

Alvord	Filkin	Lyon	Santee
Backenstose	Fish	McFalls	Shanley
Baker	Flecke	McGroarty	Skillman
M. L. Baldwin	Floyd-Jones	McKee	Skinner
Barnes	Gallagher	Moody	Smith
Billings	Galvin	Moore	Speaker
Bissell	Gere	Morey	Spicer
Bowen	Gilbert	Neilson	Stephenson
Brill	Gulick	Niven	Stone
E. Case	Hamilton	O'Hare	Strahan
G. M. Case	Hammond	Orr	Suydam
Clapp	Hayes	Peck	Tabor
Clark	Herbst	Piper	Taylor
Corbett	Hodges	Post	Tighe
Corsa	Hogeboom	Potter	Valentine
Cowdin	Husted	W. L. Rockwell	Wemple



Crowley	Lang	Ruggles	Williams
Davenport	Langbein	Sanders	Winch
Fay			

Those who voted in the negative, were

Billington	Ecclesine	Maynard	Sager
Bradley	Grady	Nachtmann	Sliter
J. H. Brown	Herrick	H. H. Rockwell	Weiant
J. S. Brown	J. S. Graham		

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Welsh, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act to legalize the action of the village of Whitehall."

"An act making appropriations for the payment of the principal and the interest of the canal debt for the fiscal year commencing on the 1st day of October, 1877, and to provide for the payment of the principal and interest of the debt contracted under section 12 of article 7 of the Constitution."

"An act to authorize a tax of one-third of a mill per dollar of valuation to provide for a deficiency in the sinking fund, under section 3 of article 7 of the Constitution."

"An act to provide for the superintendent of the poor of the county of Otsego, to be the keeper of the poor-house of said county."

"An act to provide for the payment of the interest due on certain bonds of the county of Greene, known as the bonds to refund taxes to banks, by issuing new bonds."

"An act to enable the town of Duaneburgh, Schenectady county, to issue bonds to pay debts incurred under the provisions of chapter 64, Laws of 1856, and chapter 401, Laws of 1857."

"An act to authorize the election of an additional justice of the peace in the town of Rossie, in the county of St. Lawrence."

Mr. Billings, from the committee on expenditures of the House, to which was referred the resolution presented by Mr. Fish, reported in favor of the adoption of the following resolution:

*Whereas*, The committee on affairs of cities has frequent use for the recent statutes, owing to the large number of bills referred to it amending the charters of the various cities of the State; and

*Whereas*, That committee has been unable to procure them from the Assembly library; therefore

*Resolved*, That the Clerk of the House be requested to furnish the committee on affairs of cities with copies of the Session Laws of 1870, 1871, 1872, 1873, 1874, 1875, 1876.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

{ AYES 86 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Fish	McGraw	Ruggles
Backenstose	Flecke	McGroarty	Sager
Baker	Floyd-Jones	McKee	Sanders
M. L. Baldwin	Gallagher	Mitchell	Santee
Barnes	Galvin	Moller	Shanley

Billings	Gere	Moody	Shannon
Bissell	Gilbert	Moore	Skillman
Bowen	Grady	Morey	Skinner
Bradley	J. S. Graham	Nachtmann	Speaker
Brill	Gulick	Neilson	Spicer
J. H. Brown	Hammond	Niven	Stein
Burns	Healy	Noyes	Stone
E. Case	Herrick	O'Hare	Strahan
G. M. Case	Herbst	Orr	Taylor
Clapp	Humphrey	Peck	Thistlethwaite
Clark	Husted	Piper	Valentine
Corbett	Keator	Post	Welsh
Cowdin	Langbein	Potter	Wemple
Crowley	Lyon	Proper	Wickes
Curran	Maher	Purdy	Williams
Davenport	Maynard	H. H. Rockwell	Winch
Ecclesine	McFalls		

For the negative,

Hodges

Mr. Billings, from the committee on expenditures of the House, to which was referred the resolution presented by Mr. J. S. Graham, relative to heating and ventilating the Assembly Chamber, at an expense not to exceed \$3,500, reported adversely thereto.

The question being on agreeing to said report,

Mr. Tighe moved to disagree with the report of the committee and that said resolution be committed to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Tighe, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Wemple, Int. No. 125, entitled "An act to amend chapter 389 of the Laws of 1854, entitled 'An act to amend and consolidate the laws in relation to Amsterdam village, in Montgomery county,'" reported in favor of the passage of the same, with amendments, which report was agreed to; when

On motion of Mr. Wemple, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Backenstose	Fish	McFalls	Sager
Baker	Floyd-Jones	McGraw	Sanders
M. L. Baldwin	Gallagher	McGroarty	Santee
Billings	Galvin	McKee	Shanley
Billington	Gere	Moller	Skillman
Bissell	Gilbert	Moody	Skinner

Bowen	Grady	Nachtmann	Sliter
Brill	J. S. Graham	Neilson	Stein
E. Case	Gulick	Niven	Stone
T. A. Case	Hamilton	Noyes	Strahan
Childs	Hammond	O'Hare	Suydam
Clapp	Herbst	Orr	Tabor
Clark	Hodges	Peck	Taylor
Corbett	Husted	Piper	Thistlethwaite
Coulter	Keator	Post	Tighe
Cowdin	Lang	Potter	Valentine
Crowley	Langbein	Proper	Weiant
Curran	Lyon	Purdy	Welsh
Davenport	Maher	Rice	Wemple
Fay	Marvin	W. L. Rockwell	Wickes
Filkin	Maynard	Ruggles	

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Suydam, from the committee on agriculture, to which was referred the bill introduced by Mr. Hodges, Int. No. 136, entitled "An act to regulate voting in the Western New York Agricultural Society," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Burns presented a petition of citizens of Troy, in relation to convict labor; which was read and referred to the committee on State prisons.

Mr. Brill presented a petition of citizens of the town of Babylon, Suffolk county, in reference to the proposed new county of Nassau; which was read and referred to the committee on civil divisions.

Also, two remonstrances against the erection of the county of Nassau; which was read and referred to the committee on civil divisions.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act to amend the charter of the Young Men's Association of the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, when

On motion of Mr. Gallagher, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Fay	Maynard	Sager
Backenstose	Filkin	McFalls	Sanders
M. L. Baldwin	Fish	McGraw	Santee
Billings	Floyd-Jones	McGroarty	Shanley
Billington	Gallagher	McKee	Shannon
Bissell	Galvin	Moller	Skillman
Bradley	Gere	Moody	Skinner
Brill	Gilbert	Moore	Spinola
J. H. Brown	Grady	Morey	Stein

Burns	J. S. Graham	Neilson	Stone
E. Case	Gulick	Niven	Suydam
G. M. Case	Hamilton	Noyes	Tabor
T. A. Case	Hammond	O'Hare	Taylor
Clapp	Hayes	Orr	Thistlethwaite
Clark	Herbst	Peck	Weiant
Corbett	Hodges	Piper	Welsh
Coulter	Husted	Post	Wemple
Cowdin	Keator	Potter	Wickes
Crowley	Lang	Rice	Williams
Curran	Langbein	Ruggles	Winch
Ecclesine	Maher		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker presented a message from his excellency the Governor, in the words following :

STATE OF NEW YORK — EXECUTIVE CHAMBER, }  
ALBANY, January 31, 1877.

*To the Assembly:*

I have the honor herewith to transmit to your honorable body the annual report of the Cooper Union for the Advancement of Science and Art, of the city of New York.

L. ROBINSON.

Said report was laid on the table and ordered printed.

(*See Senate Doc. No. 30.*)

Mr. Speaker presented the annual report of the President of the Inebriates' Home for Kings county for the year 1876 ; which was laid on the table and ordered printed.

(*See Doc. No. 36.*)

The hour of 2 o'clock having arrived, the House adjourned.

THURSDAY, FEBRUARY 1, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Bridgford.

The journal of yesterday was read and approved.

Mr. Alvord rose to a question of privilege and said : Day before yesterday the gentleman from Steuben, who sits on my left (Mr. Ruggles), introduced a resolution in reference to Normal schools, asking that the committee should be instructed to report in their judgment what might be necessary in the coming future in regard to these schools. The New York Tribune correspondent conveyed the idea to his paper in very strong language, that it was a resolution of instruction, and that this Assembly had committed itself to the proposition to destroy the Normal schools ; and that was followed by an editorial in that paper saying that the Assembly had been foreclosed against these schools, and they could only look in the coming future to the Senate to save them from destruction. Now, sir, I will always, when a resolution of inquiry is offered here, vote

to have it go to the proper committee. It is due from me in courtesy to my fellow member to vote for his resolution. But I desire to say here that I do not think this House has committed itself at all to the proposition of the gentleman from Steuben — I most certainly have not, and shall vote against any such proposition on its final consideration.

By unanimous consent,

Mr. Baker, from the committee on canals, to which was referred the bill introduced by Mr. Baker, Int. No. 186, entitled "An act in relation to the office of Superintendent of Public Works, and changing the mode of disbursements on account of the canals," reported in favor of the passage of the same, with amendments, the title amended so as to read "An act in relation to the office of Superintendent of Public Works, defining the powers of the Superintendent, and prescribing the mode of disbursements on account of the canals," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Baker moved that said bill be made a special order for Monday evening, February 5, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Baker, from the committee on canals, to which was referred the bill introduced by Mr. G. M. Case, Int. No. 248, entitled "An act to provide for the construction of fish-ways in the State dams across the Oswego, Oneida and Seneca rivers," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

The privileges of the floor were granted to the Hon. A. J. Campbell.

Leave of absence was granted to Messrs. Dillmeier and S. Baldwin.

This being the day assigned by the rules for the consideration of general orders,

The House resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend the charter of the Watertown Fire Insurance Company."

"An act making an appropriation for the payment of the salary and expenses of Ransom Balcom, one of the justices of the Supreme Court, for one year, ending December 31, 1877."

"An act to amend chapter 617 of the Laws of 1873, entitled 'An act regulating the deposit of securities by plate-glass insurance companies.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Hepburn, from said committee, reported in favor of the passage of said first mentioned bill; which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Alvord moved that said bill be recommitted to the committee on insurance, retaining its place on the order of third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hepburn, from said committee, also reported in favor of the passage of said second mentioned bill; which report was agreed to, and said bill ordered to a third reading.

Mr. Hepburn, from said committee, also reported in favor of the passage of said third mentioned bill, with amendments; which report was agreed to, and said bill ordered engrossed for a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to provide for the completion of the court-house in the third judicial district in the city of New York."

"An act to regulate the course of proceedings at the trial on a charge of felony, after previous conviction for felony or petit larceny."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Gallagher, from said committee, reported in favor of the passage of said first mentioned bill; which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Gallagher, from said committee, also reported progress on said second mentioned bill, and asked leave to sit again.

The question being on granting leave,

Mr. Mitchell moved to disagree with the report of the committee of the whole, and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Strahan moved to discharge the committee of the whole from the further consideration of said bill, and the same be recommitted to the committee on the judiciary with instructions to consider an amendment.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The committee of conference to consider and determine the differences arising between the two Houses upon the bill entitled "An act to extend the powers of county judges when holding courts in other counties than their own," reported that they had met and duly considered the same, and agreed to report as follows:

That the amendment to said bill, as proposed by the Assembly, be so modified that the bill shall read as follows:

*The People of the State of New York represented in Senate and Assembly, do enact as follows:*

SECTION 1. During the period that any county judge shall be in a county other than his own for the purpose of holding courts therein, he may exercise all the powers and perform all the duties of the county judge of such other county, which said last mentioned judge is by law authorized to exercise and perform out of court or in vacation. Provided, however, that nothing herein contained shall empower him to perform the duties of surrogate in such other county.

§ 2. This act shall take effect immediately.

W. H. ROBERTSON,  
GEORGE B. BRADLEY,  
A. SCHOONMAKER, JR.,  
*Senate Committee.*

ROBT. H. STRAHAN,  
JNO. T. HOGEBOOM,  
J. I. GILBERT,  
W. B. RUGGLES,  
S. B. PIPER,  
*Assembly Committee.*

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Gere	McGroarty	Shanley
Backenstose	Gilbert	Moller	Shannon
Baker	Grady	Moody	Skillman
M. L. Baldwin	J. S. Graham	Moore	Skinner
Barnes	Gulick	Morey	Sliter
Billings	Hamilton	Nachtmann	Spicer
Billington	Hammond	Neilson	Stein
Bissell	Hayes	Niven	Stephenson
Bowen	Healy	Noyes	Stone
Bradley	Hepburn	O'Hare	Strahan
Brick	Herrick	Orr	Suydam
J. H. Brown	Hodges	Peck	Tabor
J. S. Brown	Humphrey	Piper	Taylor
Bulmer	Keator	Potter	Thistlethwaite
E. Case	King	Proper	Tighe
T. A. Case	Langbein	Purdy	Valentine
Clapp	Langner	Rice	Waddell
Corsa	Longyear	H. H. Rockwell	Webb
Cowdin	Lyon	W. L. Rockwell	Weiant
Cozans	Maher	Ruggles	Welsh
Fish	Marvin	Sager	Wemple
Floyd-Jones	Maynard	Sanders	Wickes
Gallagher	McFalls	Santee	Williams
Galvin			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of agreement to the report of the committee of conference thereon.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the resolution in the words following:

*Resolved* (if the Assembly concur), That the favorable condition of our foreign trade, the strong confidence and large sale of our bonds at their present low rate of interest, the large accumulation of gold and the low rate of premium which it has reached, with the moderate want of money for commercial, manufacturing, mechanical, agricultural and other business interests of the country, warrant the Legislature of this State in recommending to Congress prompt action to secure speedy resumption of specie payments.

Said resolution being concurrent,

*Ordered*, That the same be laid on the table.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act to provide for the incorporation of villages, passed December 7, 1847, and the several acts amendatory thereof, so far as relates to the village of Corning, in the county of Steuben," which was read the first time, and by unanimous consent was also read the second time, when

On motion of Mr. Santee, and by unanimous consent, said bill was ordered to a third reading.

Mr. Speaker presented the report of the New York State Board of

Commissioners to the Centennial Anniversary Exhibition at Philadelphia; which was laid on the table and ordered printed.

(See Doc. No. 37.)

Mr. Speaker presented a communication from the Comptroller in response to request of the Assembly for his views relating to supplying certain deficiencies in appropriations for various expenditures for the support of government; which was laid on the table and ordered printed.

(See Doc. No. 38.)

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows:

"An act to amend an act entitled 'An act to incorporate the city of Binghamton,' passed April 9, 1867, and the acts amendatory of the same."

*Ordered*, That the Clerk deliver said bill to the Governor.

Mr. H. H. Rockwell introduced a bill entitled "An act limiting the time in which life insurance companies may avail themselves of certain defenses," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Skillman introduced a bill entitled "An act to amend section 50 of article 3, title 1 of chapter 16 of part 1 of the Revised Statutes, in relation to highways, amended by chapter 791 of the Laws of 1868, and by chapter 461 of the Laws of 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Maynard introduced a bill entitled "An act to amend section 4, title 2, chapter 13, part 1 of the Revised Statutes, in relation to the assessment and collection of taxes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. McGroarty introduced a bill entitled "An act to establish a police district of the town of New Lots, and to provide for the government thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Healy introduced a bill entitled "An act to amend chapter 335 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873, and to abolish the commissioners of docks of the city of New York, and to transfer the powers and duties of the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Langbein introduced a bill entitled "An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Grady introduced a bill entitled "An act in relation to elections of directors and trustees of life insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

On motion of Mr. Grady and by unanimous consent, said bill was ordered printed.

Mr. Sliter introduced a bill entitled "An act to amend section 4 of chapter 398 of the Laws of 1876, entitled 'An act to provide for the



election and compensation of coroners in the county of Rensselaer," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Potter introduced a bill entitled "An act to amend an act entitled 'An act for the incorporation of villages,' passed April 20, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Moller introduced a bill entitled "An act to amend chapter 555, Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,' passed May 2, 1864," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Herrick introduced a bill entitled "An act to release the interest of the people of the State of New York in certain real estate, to Mary Jettou," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Langbein, Int. No. 52, entitled "An act to provide for the revision of the laws relative to the administration of justice in the district courts of the city of New York," reported in favor of the passage of the same, with amendments; which report was agreed to, and said bill committed to the committee of the whole.

Mr. Webb, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Bradley, Int. No. 10, entitled "An act in relation to running ferry boats by the Union Ferry Company of Brooklyn, across the East river," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Bowen, from the committee on internal affairs, to which was referred the bill introduced by Mr. Moller, Int. No. 196, entitled "An act to amend chapter 210 of the Laws of 1867, entitled 'An act to incorporate Washington Fire Engine Company No. 1, in the town of Eastchester, county of Westchester,' passed March 30, 1867," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Bowen, from the committee on internal affairs, to which was referred the bill introduced by Mr. Crowley, Int. No. 132, entitled "An act to amend chapter 164 of the Laws of 1873, entitled 'An act to amend an act entitled An act for the support and relief of the poor and for the government of the poor department in the county of Erie,' passed April 1, 1873," reported adversely thereto, which report was agreed to.

Mr. Skinner, from the committee on public printing, to which was referred the resolution relative to printing extra copies of the Clerk's Manual, reported adversely to the adoption of the following resolution:

*Resolved*, That 500 extra copies be printed of the Clerk's Manual, or Blue Book; for the reason that the printing thereof is not included in the contract.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Smith, from the committee on public education, to which was referred the bill introduced by Mr. H. H. Rockwell, Int. No. 173, entitled "An act to amend chapter 113 of the Laws of 1859, entitled 'An act in relation to the common schools in the village of Elmira,' passed April

14, 1850," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Billings, from the committee on expenditures of the House, to which was referred the several resolutions relative to employing additional help in the wrapping, document, express, post-office and library departments, finding that no more help in said departments is needed, reported adversely thereto.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Hogeboom, from the committee on general laws, to which was referred the bill introduced by Mr. Bowen, Int. No. 174, entitled "An act in relation to the fees of school district collectors," reported in favor of the passage of the same, with amendments, the title amended so as to read "An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,'" which report was agreed to, and said bill committed to the committee of the whole.

Mr. Marvin presented a petition of James H. Prentice and others for repeal of charter of Queens county railroad; which was read and referred to the committee on railroads.

Mr. Stephenson presented a petition of James H. Prentice and others for repeal of charter of Queens county railroad; which was read and referred to the committee on railroads.

Mr. McGroarty presented a remonstrance of trustees and associates of Brooklyn Benevolent Society, against the passage of the proposed act to repeal chapter 380 of the Laws of 1846; which was read and referred to the committee on charitable and religious societies.

Mr. Gallagher presented a petition of citizens of Buffalo for amendment to the Buffalo street railroad law; which was read and referred to the committee on railroads.

Mr. Tighe presented four petitions of citizens of Brooklyn, for passage of the act opening Douglass and Degraw streets, in said city; which were read and referred to the committee on affairs of cities.

Mr. McGroarty presented a petition for repeal of act relating to laying railroad tracks in Buffalo and Washington avenues; which was read and referred to the committee on railroads.

Messrs. Lyon and Maynard presented two remonstrances of citizens of Brooklyn, against repeal of the act of 1871, for the improvement of North Second street; which were read and referred to the committee on affairs of cities.

Mr. Bradley presented a remonstrance of John McQuade and others, against the repeal of the act of 1871, for the widening of North Second street, Brooklyn; which was read and referred to the committee on affairs of cities.

Mr. Bradley presented a petition of Bishop J. Loughlin and others, trustees, for the repeal of the charter of Queens county railroad; which was read and referred to the committee on railroads.

Mr. H. H. Rockwell presented a petition of the citizens of Horseheads, for the passage of the act to incorporate the Horseheads Fire Department; which was read and referred to the committee on affairs of villages.

Mr. McGroarty presented a remonstrance of Owen Donnelly and others, against the repeal of the act of 1871, for widening North Second street; which was read and referred to the committee on affairs of cities.

Mr. Welsh presented a petition of citizens of Delaware county, against the repeal of the town auditor act; which was read and referred to the committee on the judiciary.

Mr. Billings presented two petitions of citizens, praying for the repeal of the law for assessing persons living on the line of plank and turnpike roads for highway labor; which were read and referred to the committee on roads and bridges.

Messrs. Filkin and Curran presented two petitions relating to employment of convict labor in the manufacture of collars, cuffs, etc.; which was read and referred to the committee on State prisons.

Mr. Niven presented a petition in the matter of the application of Letitia Hanson for the release of the right of the people in real estate; which was read and referred to the committee on the petitions of aliens.

Mr. Rice presented a remonstrance of citizens of Lewis county, against the repeal of the civil damage bill, passed May, 1873, which was read and referred to the committee on internal affairs.

By unanimous consent,

Mr. Bulmer introduced a bill entitled "An act making an appropriation for the improvement of the navigation of Freeport creek, in the town of Hempstead, county of Queens," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Also, a petition on the same subject, which was read and referred to the same committee.

By unanimous consent,

Mr. Hogeboom introduced a bill entitled "An act to authorize the city of Newburgh to borrow money and issue bonds therefor in payment of the enlargement and improvement of the water-works of said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Purdy offered for the consideration of the House a resolution, in the words following:

*Whereas*, The recent failures of life insurance companies and the disclosures attending thereon, have created much anxiety and alarm in the public mind respecting the solvency, business standing and practices of life insurance companies doing business in this State; therefore

*Resolved*, That a special committee of five be appointed, with power to send for persons and papers and to employ competent expert assistance, to examine into the practices and condition of the life insurance companies authorized to do business in this State, and report to this House, as soon as practicable, what remedial legislation, if any, is necessary for the protection of the life insurance interests of the people.

Said resolution giving rise to debate,

*Ordered*, That the same be laid on the table.

Mr. Fish offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the committee on affairs of cities be discharged from the further consideration of the bill entitled "An act to repeal chapter 166 of the Laws of 1873, entitled 'An act in relation to the summoning of jurors in the county of Kings, and fixing the compensation of the sheriff thereof,' passed April 1, 1873," and that the same be referred to the committee on the judiciary.

Said resolution giving rise to debate,

*Ordered*, That the same be laid on the table.

Mr. Fish offered for the consideration of the House a resolution, in the words following :

*Resolved*, That the committee on affairs of cities be discharged from the further consideration of the bill entitled "An act to create the city court of the city of New York, and to abolish the marine court in said city," and that the same be committed to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The privileges of the floor were granted to the Hon. Chas. Beardsley.

Mr. Strahan offered for the consideration of the House a resolution, in the words following :

*Resolved*, That the committee on the judiciary be discharged from the further consideration of the bill entitled "An act to release to the estate of Charles Doran, deceased, the right, title and interest of the people of the State of New York, in and to certain real estate in the city of Poughkeepsie," and that the same be referred to the committee on petitions of aliens.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The hour of 2 o'clock having arrived, the House adjourned.

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## FRIDAY, FEBRUARY 2, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Selkirk.

The journal of yesterday was read and approved.

The privileges of the floor were granted to Hon. T. V. P. Talmadge.

Leave of absence was granted to Messrs. Lang and Weiant.

A message from the Senate was received and read informing of concurrence in the passage of the bill entitled as follows :

"An act to authorize the extension of the time for the collection of taxes in the several towns of the State."

*Ordered*, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, informing of concurrence in the passage of the resolution in the words following :

*Whereas*, There is now being expended about the sum of \$10,000 per week in the dressing of stone for the New Capitol building, according to the modified plans adopted in June last ; and,

*Whereas*, It is uncertain whether this Legislature will approve such plans, or appropriate money under them ; and,

*Whereas*, The said money will be wasted and lost to the State should the building be continued according to the original designs after which the building has been thus far erected ; therefore,

*Resolved* (if the Senate concur), That the New Capitol Commissioners be instructed forthwith to suspend all work, upon the exterior of said building, which is designed to carry out such new plans, until the determination of the Legislature shall be known as to whether said building shall be constructed according to such original designs or according to the new plans.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows :

"An act to amend chapter 426 of the Laws of 1868, entitled 'An act relative to the lands devised by Richard Ray,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Stephenson introduced a bill entitled "An act to amend subdivision 1 of section 9, of article 2, title 4, chapter 6, part 1 of the Revised Statutes, in relation to elections and ballots," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Flecke introduced a bill entitled "An act to amend chapter 335 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York, so far as it relates to the department of buildings of the city of New York,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Corsa introduced a bill entitled "An act in relation to defending actions brought against sheriffs of counties in this State for official acts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. E. Case introduced a bill entitled "An act to amend an act passed June 23, 1873, entitled 'An act to amend an act entitled 'An act to suppress intemperance, and to regulate the sale of intoxicating liquors,' passed April 16, 1857,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, a petition on the same subject, which was read and referred to the same committee.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Cozans, Int. No. 184, entitled "An act regulating the practice in the surrogate's court in the county of New York, respecting testimony taken in contested matters, and as to the issue of letters of guardianship to testamentary guardians," reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Stein, Int. No. 189, entitled "An act to amend section 1 of chapter 638 of the Laws of 1867, entitled 'An act authorizing the New York Society for the Relief of the Ruptured and Crippled to hold real and personal estate,' " reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Ruggles, Int. No. 294, entitled "An act to amend chapter 270 of the Laws of 1876, entitled 'An act to incorporate the Grand Army of the Republic Soldiers' Home of the State of New York,' passed May 15, 1876," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Potter, Int. No. 272, entitled "An act to amend section 10 of title 15 of chapter 20 of part 1 of the Revised Statute," reported adversely thereto, which report was agreed to.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Tabor, Int. No. 178, entitled "An act

providing for the publication of legal notices in certain cases," reported adversely thereto, which report was agreed to.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Ecclesine, Int. No. 266, entitled "An act to facilitate the service of process upon public officers," reported adversely thereto, which report was agreed to.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Hammond, Int. No. 306, entitled "An act in relation to judicial sales of real estate," reported adversely thereto, which report was agreed to.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Baker, Int. No. 195, entitled "An act in relation to the compensation of executors, administrators and trustees," reported adversely thereto, which report was agreed to.

Mr. Hogeboom, from the committee on general laws, to which was referred the bill introduced by Mr. Lang, Int. No. 275, entitled "An act to require the clerks of boards of supervisors to furnish a copy of the proceedings of the several boards of supervisors of this State to the Librarian of the State Library," reported in favor of the passage of the same, with amendments, the title amended so as to read "An act to require the clerks of the several boards of supervisors of the several counties of this State, to transmit copies of the proceedings of the several boards of supervisors to the Librarian of the State Library;" which report was agreed to, and said bill committed to the committee of the whole.

Mr. Cowdin, from the committee on insurance, to which was recommended the bill introduced by Mr. Skinner, Int. No. 78, entitled "An act to amend the charter of the Watertown Fire Insurance Company," (retaining its place on the order of "third reading of bills"), reported in favor of the passage of the same, with amendments; which report was agreed to.

Mr. Cowdin, from the committee on insurance, to which was referred the bill introduced by Mr. Cowdin, Int. No. 214, entitled "An act to amend the charter of the Lafayette Fire Insurance Company of the city of Brooklyn," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gallagher, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Waddell, Int. No. 220, entitled "An act for the relief of the Lake George and Warrensburgh Plank-road Company, and to extend its charter," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gallagher, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Waddell, Int. No. 199, entitled "An act to exempt Warren county from the provision and operation of chapter 440 of the Laws of 1873, entitled 'An act requiring commissioner of highways to act as inspectors of plank-roads,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gallagher, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Moody, Int. No. 257, entitled "An act to extend the charter of the Chenango Canal Bridge Company in

the county of Broome," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hepburn, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Lyon, Int. No. 39, entitled "An act to authorize the trustees of incorporated rural cemeteries to register the lots thereof, and to impose a tax upon the lot owners in said cemeteries," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hepburn, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Purdy, Int. No. 85, entitled "An act in relation to the Foundling Asylum of the Sisters of Charity in the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Welsh, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to repeal section 2 of chapter 487 of the Laws of 1875, entitled 'An act to alter the commissioners' map of the city of Brooklyn, and for other purposes,' passed June 5, 1875."

"An act to amend section 29 of article 3, chapter 6, title 6 of part 1 of the Revised Statutes relating to the compensation of electors of President and Vice-President of the United States."

"An act to provide for the election of an additional justice of the peace and constable in the town of Harmony, in the county of Chautauqua."

"An act in relation to collectors and receivers of taxes."

"An act making an appropriation for the payment of the salary and expenses of Ransom Balcom, one of the justices of the Supreme Court, for one year, ending December 31, 1877."

"An act to amend chapter 617 of the Laws of 1873, entitled 'An act regulating the deposit of securities by plate-glass insurance companies.'"

"An act to provide for the completion of the court-house in the third judicial district in the city of New York."

Mr. Valentine offered for the consideration of the House a resolution, in the words following:

*Resolved*, That when this House adjourns to-day, it adjourn to Monday evening next, at 8 o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 68 }  
{ NOES 29 }

Those who voted in the affirmative, were

Barnes	Galvin	Marvin	Santee
Billington	Gere	McGroarty	Shanley
Bowen	Gilbert	Mitchell	Sliter
Bradley	Grady	Moller	Speaker
Brill	Gulick	Moody	Stein
J. H. Brown	Hamilton	Neilson	Stephenson
G. M. Case	Hayes	Niven	Stone
Corsa	Healy	Noyes	Strahan
Coulter	Herrick	O'Hare	Suydam

Cowdin	Herbst	Piper	Taylor
Crowley	Hodges	Post	Thistlethwaite
Curran	Holahan	Proper	Tighe
Dimond	Humphrey	Rice	Valentine
Ecclesine	Husted	H. H. Rockwell	Weiant
Fay	Keator	W. L. Rockwell	Wemple
Flecke	Longyear	Ruggles	Wickes
Gallagher	Maher	Sager	Winch

Those who voted in the negative, were

Alvord	Fish	McFalls	Purdy
Backenstose	Floyd-Jones	McGraw	Sanders
Baker	J. S. Graham	McKee	Skinner
Billings	Hepburn	Moore	Spicer
E. Case	Hogeboom	Morey	Spinola
T. A. Case	King	Peck	Welsh
Clapp	Langbein	Potter	Williams
Clark			

Mr. Hepburn offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the committee on canals be directed to report to this House at the earliest practicable time, a bill providing for the disposition of those lateral canals, whose sale or abandonment is recommended in the report of the commissioners, created by chapter 382 of the Laws of 1876, recently submitted to the Legislature.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Fish called from the table a resolution previously offered by him, in the words following:

*Resolved*, That the committee on affairs of cities be discharged from the further consideration of the bill entitled "An act to repeal chapter 166 of the Laws of 1873, entitled 'An act in reference to the summoning of jurors in the county of Kings, and fixing the compensation of the sheriff therefor,' passed April 1, 1873," and that the same be referred to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Grady offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the Clerk of the House be directed and authorized to have the shelves, underneath the desks of the members, so partitioned as to keep the files in order and readily accessible.

*Ordered*, That said resolution be referred to the committee on expenditures of the House.

Mr. Hodges offered for the consideration of the House a resolution, in the words following:

*Whereas*, A resolution has been introduced into this House, and referred to the committee on ways and means, with instructions to report at an early day some plan looking to a radical change in the present method of assessment and taxation in this State; and

*Whereas*, It is not probable that the said committee will be able to perfect such plan, in addition to their other duties during the present session of this Legislature; and,



*Whereas*, The necessity of the case does not admit of any unnecessary delay; therefore,

*Resolved*, That the committee on ways and means of this House be and they are hereby requested to report to this House at an early day, a plan for a commission, to be appointed by the Governor, by and with the advice and consent of the Senate, the said commission to give the whole matter of assessment and taxation thorough consideration during the recess, and report to the next Legislature of this State what changes in existing laws may be necessary, and what new features can be introduced to make a system of assessment and taxation which shall be more perfect, just and satisfactory than the present one.

Said resolution giving rise to debate,

*Ordered*, That the same be laid on the table.

Mr. Tighe offered for the consideration of the House a resolution, in the words following :

*Resolved*, That the committee on the judiciary be discharged from the further consideration of the bill introduced by Mr. Tighe on January 31st inst., relating to the jail of Kings county, and that the same be referred to the committee on internal affairs.

Said resolution giving rise to debate,

*Ordered*, That the same be laid on the table.

Mr. Bradley offered for the consideration of the House a resolution, in the words following :

*Resolved*, That the report of the Secretary of State, in regard to the rents of Congress Hall, be printed.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. McKee offered for the consideration of the House a resolution, in the words following :

*Whereas*, The small amount of revenue derived from the Erie canal renders it imperative for the maintenance and prosperity of the same that the strictest economy should be observed in the expenditures for said canal, and that no needless expense or extravagance should be allowed by the proper authorities in keeping said canal in repair; and

*Whereas*, It appears from official and other statements that large numbers of men were employed and immense sums of money were expended upon said canal during the months of October and November, 1876, at a time when said canal was in good repair and navigation unobstructed; therefore be it

*Resolved*, That the Canal Commissioners be, and they are hereby, respectfully requested to report to this Assembly, within ten days from the adoption of this resolution :

1st. The total expenditures upon the Erie canal for each of the months of April, May, June, July, August, September, October and November, 1876; and also the number of days' labor performed upon said canal for each of said months separately, as appears upon the several superintendents' check rolls.

2d. What amount of said expenditures was paid in each of said months to lock tenders, watchmen and other regular employees, for the ordinary running of said canal.

3d. What amount of said total expenditures was paid in each of said months for extraordinary repairs upon said canal, and the reason for such expenditures.

4th. A specific statement of the amount of the "check roll" expenses of each superintendent upon said canal for each of said months separately.

5th. Whether the superintendents upon the several sections of said canal, have complied with the requirements of the law in filing in the several county clerks' offices, an abstract or report of their expenditures for the months of October and November, 1876, and the dates of such filing, and that the information hereinbefore called for, shall include the several amounts of such abstracts or reports.

6th. If it appear by the statements herein called for, that much larger sums were expended upon said canal during the months of October or November than during any other of said months, then said commissioners are requested to state specifically the reasons for such extra expenditures, and whether the same was required for necessary repairs or maintenance of said canal, and the nature and character of the labor performed upon the canal for said months, and what permanent improvements, if any, were made during said months of October and November upon said canal.

Said resolution giving rise to debate,

*Ordered*, That the same be laid on the table.

Pursuant to 9th joint rule, Mr. Speaker announced the order of business, "third reading of bills."

The bill entitled "An act establishing the salary of the deputy Comptroller and making appropriations for certain expenses of the government, and supplying deficiencies in former appropriations, for the fiscal year ending September 30, 1877," being announced for a third reading,

Mr. Husted moved that said bill be recommitted to the committee on ways and means, with instructions to amend said bill as follows:

Section 1, after the word "semi-annually," in line 37, written bill, insert the following: "For repairs, cleaning, labor, gas, and other necessary repairs of the Capitol, \$12,000;" and to report said bill forthwith, retaining its place on the order of "third reading of bills."

Mr. Husted moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Husted, and it was determined in the affirmative.

Mr. Husted, from the committee on ways and means, to which was recommitted said bill, reported that they had amended the same, as instructed by the House.

Mr. Husted moved that said bill be read a third time.

Mr. Husted moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Husted, and it was determined in the affirmative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 97 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord  
Backenstose

Ecclesine  
Fay

Lyon  
Maher

Ruggles  
Sager

Baker	Fish	Marvin	Sanders
Barnes	Flecke	McFalls	Santee
Billings	Floyd-Jones	McGraw	Shanley
Billington	Gallagher	McGroarty	Skinner
Bissell	Gere	McKee	Sliter
Bowen	Gilbert	Moller	Speaker
Bradley	Grady	Moody	Spicer
Brick	J. S. Graham	Moore	Stein
J. H. Brown	Gulick	Morey	Stephenson
Bulmer	Hayes	Nachtmann	Stone
E. Case	Healy	Neilson	Strahan
G. M. Case	Hepburn	Niven	Suydam
T. A. Case	Herrick	Noyes	Tabor
Childs	Herbst	O'Hare	Taylor
Clapp	Hodges	Peck	Thistlethwaite
Clark	Hogeboom	Piper	Tighe
Corsa	Holahan	Post	Valentine
Coulter	Humphrey	Potter	Weiant
Cowdin	Husted	Purdy	Wemple
Cozans	Keator	Rice	Wickes
Crowley	Langbein	H. H. Rockwell	Williams
Curran	Longyear	W. L. Rockwell	Winch
Dimond			

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to legalize the action of the village of Whitehall," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Fish	McGraw	Sanders
Backenstose	Flecke	McGroarty	Santee
M. L. Baldwin	Gallagher	McKee	Shanley
Barnes	Gere	Moller	Skinner
Billings	Grady	Moody	Sliter
Bissell	J. S. Graham	Moore	Spicer
Bradley	Gulick	Neilson	Stephenson
Brick	Hamilton	Niven	Stone
E. Case	Hayes	O'Hare	Strahan
G. M. Case	Healy	Peck	Suydam
T. A. Case	Hepburn	Piper	Tabor
Childs	Hodges	Post	Taylor
Clark	Humphrey	Potter	Thistlethwaite
Corsa	Husted	Proper	Tighe
Cowdin	King	Purdy	Valentine
Cozans	Longyear	Rice	Weiant
Crowley	Lyon	H. H. Rockwell	Wemple
Curran	Maher	W. L. Rockwell	Wickes

Dimond  
Ecclesine  
Fay

Marvin  
Maynard  
McFalls

Ruggles  
Sager

Williams  
Winch

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act making appropriations for the payment of the principal and the interest of the canal debt for the fiscal year commencing on the 1st day of October, 1877, and to provide for the payment of the principal and interest of the debt contracted under section 12 of article 7 of the Constitution," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Gallagher	McFalls	Sager
Backenstose	Galvin	McGraw	Sanders
Baker	Gere	McGroarty	Santee
Barnes	Gilbert	McKee	Shanley
Billings	Grady	Moller	Skinner
Bissell	J. S. Graham	Moody	Speaker
Bowen	Gulick	Moore	Spicer
Bradley	Hayes	Morey	Stein
Brill	Healy	Niven	Stephenson
J. H. Brown	Hepburn	Noyes	Stone
E. Case	Hodges	O'Hare	Suydam
T. A. Case	Hogeboom	Peck	Taylor
Childs	Holahan	Piper	Thistlethwaite
Clapp	Keator	Post	Valentine
Clark	King	Potter	Weiant
Cowdin	Langbein	Proper	Wemple
Crowley	Longyear	H. H. Rockwell	Wickes
Fish	Lyon	W. L. Rockwell	Williams
Flecke	Maher	Ruggles	Winch
Floyd-Jones			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Strahan, from the committee on the judiciary, to which was recommitted the bill entitled "An act for the relief of James R. Davies, William P. Mitchell, Michael Cregan, Henry G. Leask, John E. McGowan, Robert G. McCord, Francis Mangin, Whitfield Van Cott and Bernard C. Ryan, as clerks and assistant clerks of the district courts in the city of New York," reported that they had amended the same as instructed by the House.

The question being on the final passage of said bill,

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }  
{ NOES 20 }

Those who voted in the affirmative, were

Alvord	Ecclesine	Husted	Potter
Baker	Fay	Keator	H. H. Rockwell
Barnes	Fish	King	W. L. Rockwell
Billings	Flecke	Langbein	Ruggles
Billington	Floyd-Jones	Longyear	Sager
Bowen	Gallagher	Marvin	Santee
Brick	Galvin	Maynard	Shanley
Bulmer	Gere	McFalls	Skinner
Burns	Gilbert	McGraw	Speaker
E. Case	Grady	McGroarty	Spicer
G. M. Case	J. S. Graham	McKee	Stein
T. A. Case	Gulick	Moller	Stephenson
Clapp	Hamilton	Moody	Strahan
Clark	Hayes	Morey	Suydam
Corsa	Healy	Neilson	Taylor
Coulter	Hepburn	Noyes	Tighe
Cowdin	Herrick	O'Hare	Wemple
Cozans	Herbst	Peck	Williams
Curran	Hodges	Piper	Winch
Dimond			

Those who voted in the negative, were

Backenstose	Childs	Maher	Rice
Bissell	Crowley	Moore	Sanders
Bradley	Hogeboom	Post	Sliter
Brill	Holahan	Proper	Spinola
J. H. Brown	Humphrey	Purdy	Welsh

When the name of Mr. Brill was called, he asked to be, and was not, excused from voting.

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Leave of absence was granted to Mr. Winch.

The Senate bill entitled "An act to amend the act entitled 'An act to provide for the incorporation of villages,' passed December 7, 1847, and the several acts amendatory thereof, so far as relates to the village of Corning, in the county of Steuben," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Filkin	Longyear	Ruggles
Backenstose	Fish	Maher	Sager

Barnes	Flecke	Marvin	Sanders
Billings	Floyd-Jones	Maynard	Santee
Bowen	Galvin	McFalls	Shanley
Bradley	Gere	McGraw	Shannon
Brick	Gilbert	Moller	Skinner
Brill	Grady	Moore	Sliter
J. H. Brown	Gulick	Morey	Speaker
Bulmer	Hamilton	Neilson	Stein
Burns	Hepburn	Niven	Stephenson
E. Case	Herrick	O'Hare	Strahan
T. A. Case	Herbst	Peck	Suydam
Clapp	Hogeboom	Piper	Taylor
Clark	Holahan	Post	Weiant
Corsa	Humphrey	Potter	Welsh
Coulter	Husted	Proper	Wemple
Cowdin	Keator	Rice	Wickes
Cozans	King	H. H. Rockwell	Williams
Curran	Langbein	W. L. Rockwell	Winch
Fay			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

By unanimous consent,

Mr. O'Hare introduced a bill entitled "An act to secure the better administration of savings banks or institutions in the State of New York, and to punish offences against the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent,

Mr. Gilbert offered for the consideration of the House a resolution, in the words following:

*Whereas*, The education of its citizens is conceded to be of vital importance to a State; and,

*Whereas*, It is found to be necessary for a State to make liberal provision for such education; and,

*Whereas*, In order to attain this end, the State of New York has wisely made provision for the special education of teachers, by establishing Normal and training schools; therefore,

*Resolved*, That the committee on public education be respectfully requested to consider and report to this House what, if any, legislation is needed, in order to render such schools still more useful to the State; and to ascertain whether or not, in the practical operation of such schools, there has been any departure from their original purpose, and, if so, to recommend such legislation as they may deem necessary, in order to correct the same.

Said resolution giving rise to debate,

*Ordered*, That the same be laid on the table.

By unanimous consent,

Mr. Burns introduced a bill entitled "An act to amend an act entitled 'An act for the relief of the Co-operatives Iron Founders' Association of Troy,' passed April 23, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

By unanimous consent,

Mr. Hayes introduced a bill entitled "An act in relation to the sale of Croton water in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Hepburn presented a petition of citizens of St. Lawrence county, for reduction of salaries; which was read and referred to the committee on ways and means.

By unanimous consent,

Mr. Speaker presented a remonstrance of the common council of the city of Brooklyn, against an act to provide for the abatement of nuisances by the board of health of incorporated cities; which was read and referred to the committee on public health.

On motion of Mr. Morey, at 1 o'clock and 5 minutes the House adjourned.

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### MONDAY, FEBRUARY 5, 1877.

The House met pursuant to adjournment.

Prayer by Rev. B. B. Loomis.

The journal of Friday, February 2, was read and approved.

Mr. Speaker presented a communication from the State Engineer and Surveyor in reply to a resolution of the Assembly, passed January 29, 1877, requesting a statement as to the number, rank and aggregate compensation per month, of all persons employed in the engineer's department of the eastern division of the New York State canals; which was laid on the table and ordered printed.

(See *Doc. No.* .)

Pursuant to 9th joint rule, Mr. Speaker announced the order of business, "third reading of bills."

On motion of Mr. Alvord, and by unanimous consent, said order of business was laid on the table.

By unanimous consent,

Mr. Hepburn, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Hodges, Int. No. 80, entitled "An act to amend chapter of the Laws of 1875, entitled 'An act supplemental to an act entitled An act to provide for the incorporation of religious societies, passed April 5, 1813,' and of the several acts amendatory thereof," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Speaker announced the special order of the day, being the bill entitled "An act in relation to the office of Superintendent of Public Works, defining the powers of the superintendent and prescribing the mode of disbursements on account of the canals."

Mr. Baker moved that the consideration of the special order be postponed, and that the same be made a special order for Tuesday morning, immediately after the reading of the journal.

Mr. J. S. Brown moved to amend by striking out the word "Tuesday" and inserting the word "Wednesday."

Mr. Speaker put the question whether the House would agree to said motion of Mr. J. S. Brown, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Baker, as amended, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Langbein introduced a bill entitled "An act to amend chapter 549 of the Laws of 1873, entitled 'An act regulating the sale of intoxicating liquors,' passed April 11, 1870, and the act entitled 'An act to suppress intemperance, and to regulate the sale of intoxicating liquors,' passed April 16, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Husted, on behalf of Mr. J. G. Graham, introduced a bill entitled "An act to amend an act entitled 'An act to amend an act entitled An act to provide for the establishment of free schools in the village of Newburgh, passed April 6, 1852,' passed March 7, 1865," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Hepburn introduced a bill entitled "An act in relation to taxation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Corbett introduced a bill entitled "An act to release to Mary Kinney the right, title and interest of the people of the State of New York in and to certain real estate in the city of Utica," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

By unanimous consent,

Mr. Corbett presented the petition of Mary Kinney for relief; which was read and referred to the committee on petitions of aliens.

Mr. Clark, from the committee on petitions of aliens, to which was referred the bill introduced by Mr. Niven, Int. No. 195, entitled "An act to release the interest of the people of the State of New York in certain real estate in the city of New York to Letitia Hanson," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Clark, from the committee on petitions of aliens, to which was referred the bill introduced by Mr. Noyes, Int. No. 291, entitled "An act to release certain lands which have escheated to the State to Sarah Henesy, widow of John Fagan, late of Saratoga Springs," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Clark, from the committee on petitions of aliens, to which was referred the bill introduced by Mr. Langbein, Int. No. 186, entitled "An act to confirm the title of Josefa M. Mora, an alien, to certain lands," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Clark, from the committee on petitions of aliens, to which was referred the bill introduced by Mr. J. G. Graham, Int. No. 252, entitled "An act for the relief of John Black, an alien," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Clark, from the committee on petitions of aliens, to which was referred the Senate bill entitled "An act to release the right, title and interest of the people of the State of New York in and to certain real



estate of which Thomas Dalton died seized, to William E. Duncan," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Santee offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the vote by which Senate bill No. 33, entitled "An act to amend the act entitled 'An act to provide for the incorporation of villages,' passed December 7, 1847, and the several acts amendatory thereof, so far as relates to the village of Corning, Steuben county," was passed, be reconsidered.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davenport	Lyon	Sager
Baker	Filkin	Maher	Sanders
S. Baldwin	Fish	Marvin	Santee
M. L. Baldwin	Flecke	Maynard	Shanley
Barnes	Floyd-Jones	McFalls	Sheldon
Bissell	Galvin	McGraw	Speaker
Bradley	Gere	McKee	Spicer
Brick	Gilbert	Moller	Spinola
J. H. Brown	Grady	Moody	Stein
J. S. Brown	Gulick	Moore	Stephenson
E. Case	Hamilton	Nachtmann	Stone
G. M. Case	Hammond	Neilson	Strahan
T. A. Case	Hayes	Peck	Suydam
Clapp	Hepburn	Piper	Taylor
Clark	Hodges	Post	Thistlethwaite
Corbett	Hogeboom	Potter	Tighe
Corsa	Holahan	Purdy	Webb
Cowdin	Husted	H. H. Rockwell	Welsh
Cozans	King	W. L. Rockwell	Wickes
Curran	Langbein	Ruggles	Williams

Said bill then being announced for a third reading,

On motion of Mr. Santee, and by unanimous consent, said bill was amended as follows: Section 4, line 1, before the word "eight," insert the words "such president and." Section 8, line 4, strike out the word "constitute," and insert the words "belong to." Section 11, line 4, strike out the word "Dorr," and insert the word "Dow."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cowdin	Hogeboom	W. L. Rockwell
Baker	Cozans	Husted	Ruggles

S. Baldwin	Curran	King	Sager
M. L. Baldwin	Davenport	Langbein	Sanders
Barnes	Dimond	Lyon	Santee
Billings	Ecclesine	Maher	Shanley
Bissell	Filkin	Marvin	Sheldon
Bowen	Fish	Maynard	Speaker
Bradley	Flecke	McFalls	Spicer
Brick	Floyd-Jones	McGraw	Spinola
J. H. Brown	Galvin	McKee	Stein
J. S. Brown	Gere	Moller	Stephenson
Burns	Gilbert	Nachtmann	Strahan
E. Case	Grady	Neilson	Suydam
T. A. Case	Gulick	Peck	Taylor
Childs	Hamilton	Piper	Thistlethwaite
Clapp	Hammond	Post	Tighe
Clark	Hayes	Potter	Welsh
Corbett	Hepburn	Purdy	Wemple
Corsa	Herrick	H. H. Rockwell	Williams
Coulter	Hodges		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same, with amendments.

Mr. Bradley offered for the consideration of the House a resolution, in the words following:

*Resolved*, That hereafter the daily sessions of this House shall commence at 10 o'clock A. M., and continue until 2 o'clock P. M., unless the regular business of the House be gone through with.

Said resolution giving rise to debate,

*Ordered*, That the same be laid on the table.

The bill entitled "An act to authorize a tax of one-third of a mill per dollar of valuation to provide for a deficiency in the Sinking Fund, under section 3 of article 7 of the Constitution," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curran	Husted	Proper
Baker	Davenport	King	Purdy
S. Baldwin	Dimond	Langbein	H. H. Rockwell
M. L. Baldwin	Filkin	Lyon	W. L. Rockwell
Barnes	Fish	Maher	Ruggles
Bissell	Flecke	Marvin	Sager
Bowen	Floyd-Jones	Maynard	Sanders
Bradley	Galvin	McFalls	Santee
Brick	Gere	McGraw	Shanley
Brill	Gilbert	McKee	Sheldon
J. H. Brown	Grady	Mitchell	Speaker
Burns	J. G. Graham	Moller	Spicer
E. Case	Gulick	Moody	Stein
T. A. Case	Hamilton	Moore	Stephenson
Childs	Hammond	Nachtmann	Strahan

Clapp	Hayes	Neilson	Suydam
Clark	Hepburn	Noyes	Thistlethwaite
Corbett	Herrick	Peck	Valentine
Corsa	Hodges	Piper	Webb
Coulter	Hogeboom	Post	Welsh
Cowdin	Holahan	Potter	Williams
Cozans			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the superintendent of the poor of the county of Otsego, to be the keeper of the poor-house of said county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 5 }

Those who voted in the affirmative, were

Baker	Curran	Langbein	W. L. Rockwell
M. L. Baldwin	Davenport	Maher	Ruggles
Barnes	Dimond	Marvin	Sager
Billings	Ecclesine	Maynard	Sanders
Bissell	Filkin	McFalls	Santee
Bowen	Fish	McGraw	Shanley
Bradley	Flecke	McKee	Speaker
Brick	Floyd-Jones	Mitchell	Spicer
Brill	Galvin	Moller	Spinola
J. H. Brown	Grady	Moody	Stephenson
J. S. Brown	J. G. Graham	Moore	Stone
E. Case	Hamilton	Nachtmann	Strahan
G. M. Case	Hayes	Neilson	Suydam
T. A. Case	Healy	Noyes	Taylor
Childs	Hepburn	Peck	Thistlethwaite
Clapp	Herrick	Piper	Valentine
Clark	Hodges	Post	Waddell
Corbett	Holahan	Potter	Webb
Corsa	Husted	Purdy	Welsh
Cowdin	King	H. H. Rockwell	Williams
Cozans			

Those who voted in the negative, were

Alvord	Burns	Hogeboom	Sheldon
S. Baldwin			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the payment of the interest due on certain bonds of the county of Greene, known as the bonds to refund taxes to banks, by issuing new bonds," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cozans	Hodges	Potter
S. Baldwin	Curran	Hogeboom	H. H. Rockwell
M. L. Baldwin	Davenport	Holahan	W. L. Rockwell
Barnes	Dimond	Husted	Ruggles
Billings	Ecclesine	Keator	Sager
Billington	Filkin	King	Sanders
Bowen	Fish	Langbein	Santee
Bradley	Flecke	Maher	Shanley
Brick	Floyd-Jones	Maynard	Sheldon
Brill	Galvin	McFalls	Spicer
J. H. Brown	Gere	McGraw	Spinola
J. S. Brown	Gilbert	McKee	Stein
Burns	Grady	Moody	Stephenson
E. Case	J. G. Graham	Moore	Stone
G. M. Case	Gulick	Nachtmann	Strahan
T. A. Case	Hamilton	Neilson	Suydam
Childs	Hammond	Noyes	Thistlethwaite
Clapp	Hayes	Peck	Valentine
Clark	Healey	Piper	Welsh
Corbett	Hepburn	Post	Williams
Cowdin			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Strahan moved that the bill entitled "An act to provide for the completion of the court-house in the third judicial district in the city of New York," be recommitted to the committee on affairs of cities, retaining its place on the order of third reading, said committee to report back to the House within three days.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act to enable the town of Duaneburgh, Schenectady county, to issue bonds to pay debts incurred under the provisions of chapter 64, Laws of 1856, and chapter 401, Laws of 1857," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curran	King	H. H. Rockwell
Baker	Dimond	Langbein	W. L. Rockwell
S. Baldwin	Ecclesine	Maher	Ruggles
M. L. Baldwin	Filkin	Marvin	Sager
Barnes	Fish	Maynard	Sanders
Billings	Flecke	McFalls	Santee
Bissell	Floyd-Jones	McGraw	Shanley

Bowen	Galvin	McKee	Sheldon
Bradley	Gilbert	Mitchell	Speaker
Brick	Grady	Moller	Spicer
Brill	J. G. Graham	Moody	Stein
J. H. Brown	Gulick	Moore	Stephenson
J. S. Brown	Hamilton	Nachtmann	Stone
Burns	Hammond	Neilson	Strahan
E. Case	Hayes	Noyes	Suydam
G. M. Case	Healy	Peck	Taylor
T. A. Case	Hepburn	Piper	Thistlethwaite
Clapp	Herrick	Post	Valentine
Clark	Hodges	Potter	Webb
Corbett	Husted	Purdy	Welsh
Coulter	Keator	Rice	Williams
Cowdin			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Gilbert offered for the consideration of the House a resolution, in the words following:

*Whereas*, Great evil has resulted to the State from hasty and immature legislation, which evil has been increased by the introduction of bills near the close of the session, and consequent inconsiderate legislation thereupon; therefore,

*Resolved*, That the committee on rules be requested to inquire into the expediency of amending the thirty-third rule of the Assembly so as to read as follows, viz.: "No bill shall be introduced in the House after the fifteenth day of March, except by unanimous consent, nor at any time except in one of the following ways, viz.: 1. Under the order of introduction of bills by counties in alphabetical order. 2. By unanimous consent of the House. 3. By report of a committee. 4. By order of the House. 5. By message from the Senate."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Indefinite leave of absence was granted to Mr. Morey.

The bill entitled "An act to authorize the election of an additional justice of the peace in the town of Rossie in the county of St. Lawrence," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Corsa	Herrick	Ruggles
Baker	Coulter	Hodges	Sager
S. Baldwin	Cowdin	Holahan	Sanders
M. L. Baldwin	Cozans	Husted	Santee
Barnes	Dimond	Keator	Shanley
Billings	Ecclesine	King	Sheldon
Bissell	Filkin	Maher	Speaker

Bowen	Fish	Maynard	Spicer
Bradley	Flecke	McFalls	Stein
Brick	Floyd-Jones	McGraw	Stone
Brill	Galvin	McKee	Strahan
J. H. Brown	Gilbert	Moody	Suydam
J. S. Brown	Grady	Moore	Taylor
Burns	J. G. Graham	Nachtmann	Thistlethwaite
E. Case	Gulick	Noyes	Tighe
G. M. Case	Hamilton	Peck	Valentine
T. A. Case	Hammond	Piper	Webb
Clapp	Healy	H. H. Rockwell	Welsh
Clark	Hepburn	W. L. Rockwell	Williams
Corbett			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 29 of article 3, chapter 6, title 6, part 1 of the Revised Statutes, relating to the compensation of electors of President and Vice-President of the United States," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 81 {  
} NOES 00 {

Those who voted in the affirmative, were

Alvord	Oozans	Hodges	Ruggles
Baker	Curran	Hogeboom	Sager
S. Baldwin	Davenport	Holahan	Sanders
M. L. Baldwin	Dimond	Husted	Santee
Barnes	Ecclesine	Keator	Shanley
Billings	Filkin	Langbein	Sheldon
Bissell	Fish	Maher	Speaker
Bowen	Flecke	Marvin	Spicer
Bradley	Floyd-Jones	Maynard	Stein
Brick	Galvin	McFalls	Stephenson
Brill	Gilbert	McGraw	Stone
J. H. Brown	Grady	McKee	Strahan
J. S. Brown	J. G. Graham	Moller	Suydam
E. Case	Gulick	Moody	Taylor
G. M. Case	Hamilton	Moore	Thistlethwaite
T. A. Case	Hammond	Nachtmann	Tighe
Childs	Hayes	Peck	Valentine
Clapp	Healy	Piper	Webb
Clark	Hepburn	Potter	Welsh
Corbett	Herrick	Purdy	Williams
Coulter			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to collectors and receivers of taxes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cowdin	Hodges	Purdy
Baker	Cozans	Hogeboom	H. H. Rockwell
S. Baldwin	Curran	Holahan	Ruggles
M. L. Baldwin	Davenport	Husted	Sager
Barnes	Dimond	Keator	Sanders
Billings	Ecclesine	King	Shanley
Bissell	Filkin	Langbein	Sheldon
Bowen	Flecke	Maher	Speaker
Bradley	Floyd-Jones	Marvin	Spicer
Brick	Galvin	Maynard	Stein
Brill	Gilbert	McFalls	Stephenson
J. H. Brown	Grady	McGraw	Stone
Burns	J. G. Graham	McKee	Strahan
E. Case	Gulick	Moller	Suydam
G. M. Case	Hamilton	Moody	Taylor
T. A. Case	Hammond	Moore	Thistlethwaite
Childs	Hayes	Nachtmann	Tighe
Clapp	Healy	Neilson	Valentine
Clark	Hepburn	Noyes	Webb
Corbett	Herrick	Potter	Williams
Coulter			

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the election of an additional justice of the peace and constable in the town of Harmony, in the county of Chautauqua," being announced for a third reading,

On motion of Mr. Williams, and by unanimous consent, said bill was amended as follows:

That the words "an additional" be inserted in the title before the word "constable;" the same words in place of the word "article a" before the word "justice," in the second line, first section, and the same words in the place of the words "article a" before the word "constable," where it first occurs in section 3.

Said bill, as amended, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Coulter	Hepburn	W. L. Rockwell
Baker	Cowdin	Herrick	Ruggles
S. Baldwin	Cozans	Hodges	Sager

M. L. Baldwin	Curran	King	Sanders
Barnes	Davenport	Maher	Santee
Billings	Dimond	Maynard	Shanley
Bissell	Ecclesine	McFalls	Sheldon
Bowen	Filkin	McGraw	Spicer
Bradley	Fish	McKee	Stein
Brick	Flecke	Moller	Stephenson
Brill	Floyd-Jones	Moody	Stone
J. S. Brown	Galvin	Moore	Strahan
Burns	Gilbert	Nachtmann	Suydam
E. Case	Grady	Neilson	Taylor
G. M. Case	J. G. Graham	Noyes	Thistlethwaite
T. A. Case	Gulick	Piper	Tighe
Ohlds	Hamilton	Post	Valentine
Clapp	Hammond	Potter	Webb
Clark	Hayes	Purdy	Welsh
Corbett	Healy	H. H. Rockwell	Williams
Corso			

Those who voted in the negative, were

Hogeboom      Marvin

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to repeal section 2 of chapter 487 of the Laws of 1875, entitled 'An act to alter the commissioners' map of the city of Brooklyn, and for other purposes,' passed June 5, 1875," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cowdin	Keator	W. L. Rockwell
S. Baldwin	Cozans	King	Ruggles
M. L. Baldwin	Curran	Langbein	Sager
Barnes	Davenport	Maher	Sanders
Billings	Dimond	Maynard	Santee
Bissell	Ecclesine	McFalls	Shanley
Bowen	Flecke	McGraw	Sheldon
Bradley	Floyd-Jones	McKee	Speaker
Brick	Galvin	Mitchell	Spicer
Brill	Gilbert	Moller	Stein
J. H. Brown	Grady	Moody	Stephenson
J. S. Brown	J. G. Graham	Moore	Stone
G. M. Case	Gulick	Nachtmann	Strahan
T. A. Case	Hamilton	Neilson	Suydam
Childs	Hammond	Noyes	Taylor
Clapp	Hayes	Peck	Thistlethwaite
Clark	Hodges	Piper	Tighe
Corbett	Hogeboom	Potter	Webb
Corso	Holahan	Purdy	Welsh
Coulter	Husted	H. H. Rockwell	Williams



*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 617 of the Laws of 1873, entitled 'An act regulating the deposit of securities by plate-glass insurance companies,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

} AYES 81 }  
} NOES 00 }

Those who voted in the affirmative, were

Alvord	Cozans	King	Ruggles
S. Baldwin	Curran	Langbein	Sager
M. L. Baldwin	Davenport	Maynard	Sanders
Barnes	Dimond	McFalls	Santee
Billings	Ecclesine	McGraw	Shanley
Bissell	Filkin	McKee	Sheldon
Bowen	Floyd-Jones	Mitchell	Speaker
Bradley	Galvin	Moller	Spicer
Brick	Gilbert	Moody	Stein
Brill	J. G. Graham	Moore	Stephenson
J. H. Brown	Gulick	Nachtmann	Stone
Burns	Hamilton	Neilson	Strahan
E. Case	Hammond	Noyes	Suydam
G. M. Case	Hayes	Peck	Taylor
T. A. Case	Healy	Piper	Thistlethwaite
Clapp	Hodges	Potter	Tighe
Clark	Hogeboom	Proper	Valentine
Corbett	Holahan	Purdy	Webb
Corsa	Husted	H. H. Rockwell	Welsh
Coulter	Keator	W. L. Rockwell	Williams
Cowdin			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act to provide for the purchase of a steam fire engine and a fire apparatus in the village of Brockport, and for the more effectual protection of said village against fire," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

On motion of Mr. Husted, at 9 o'clock and 30 minutes, the House adjourned.

## TUESDAY, FEBRUARY 6, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Braman.

The journal of yesterday was read and approved.

This being the day assigned by the rules for the consideration of general orders,

The House resolved itself into a committee of the whole on the bills entitled as follows:

"An act in relation to bets, wagers and pools."

"An act to authorize the board of supervisors of the county of Columbia to provide for the payment of the principal of a portion of the bounty debt of said county, by issuing new bonds."

"An act to authorize the payment of certain moneys out of the State treasury to the heir-at-law of James Green, deceased."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. J. S. Graham, from said committee, reported in favor of the passage of said first mentioned bill, with amendments; which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. S. Graham, from said committee, also reported in favor of the passage of said second and third mentioned bills; which report was agreed to, and said bills ordered engrossed for a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act relative to lands in the city of New York, devised by Charlotte E. Jenkins, late of said city, deceased, authorizing the mortgaging or sale thereof, and the disposition of the proceeds thereof in accordance with the provisions of the will of the said deceased, the same to be done under the direction of the Supreme Court."

"An act to change the name of the Rochester and Pine Creek Railroad Company to that of the Silver Lake Railroad Company."

"An act to regulate voting in the Western New York Agricultural Society."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Galvin, from said committee, reported in favor of the passage of said first mentioned bill, with an amendment; which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Galvin, from said committee, also reported in favor of the passage of said second and third mentioned bills; which report was agreed to, and said bills ordered engrossed for a third reading.

The House again resolved itself into a committee of the whole on the bill entitled as follows:

"An act to provide for the revision of the laws relative to the administration of justice in the district courts of the city of New York."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Waddell, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

By unanimous consent,

Mr. Speaker presented three petitions of citizens of Oswego county

for repeal of the present usury law; which was read and referred to the committee on ways and means.

On motion of Mr. Husted, at 1 o'clock and 55 minutes, the House adjourned.

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### WEDNESDAY, FEBRUARY 7, 1877.

The House met pursuant to adjournment.

Prayer by Rev. F. J. Maguire.

The journal of yesterday was read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act in relation to corporations or joint stock companies of other States, territories, or Dominion of Canada," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to the organization of certain business corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in regard to the powers of the associate rector of St. Luke's Memorial church, in the city of Utica, county of Oneida and State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to enable the Orphan's Home and Asylum of the Protestant Episcopal Church in New York, to acquire and hold real and personal estate, each to the amount of three hundred thousand dollars," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to amend chapter 125 of the Laws of 1874, entitled 'An act to provide for the establishment of a system of graded schools in the village of Ithaca,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

"An act to amend chapter 408 of the Laws of 1870, entitled 'An act relating to the Supreme Court, and to the election of a judge of the Court of Common Pleas in and for the city and county of New York,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the Utica Mechanics' Association to borrow money to pay its floating debt, and to issue bonds and execute a mortgage to secure the payment of the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

"An act in relation to the Foundling Asylum of the Sisters of Charity in the city of New York," which was read the first time, and by unanimous consent was also read the second time, when

On motion of Mr. Hayes, and by unanimous consent, Assembly bill, printed No. 102, now on general orders, was substituted for said bill.

The privileges of the floor were granted to Hon. A. Wight.

Leave of absence was granted to Messrs. Hogeboom and Williams.

Mr. Speaker announced the special order of the day, being the bill entitled "An act in relation to the office of Superintendent of Public Works, defining the powers of the superintendent and prescribing the mode of disbursements on account of the canals."

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act in relation to the office of Superintendent of Public Works, defining the powers of the superintendent and prescribing the mode of disbursements on account of the canals."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Bowen, from said committee, reported progress on said bill, and asked leave to sit again.

The question being on granting leave,

Mr. Baker moved to discharge the committee of the whole from the further consideration of said bill, and that the same, with the amendments, be ordered to a third reading.

Mr. Alvord moved to lay the report of the committee on the table.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Alvord, and it was determined in the affirmative.

{ AYES 57 }  
{ NOES 52 }

Those who voted in the affirmative, were

Alvord	Fish	Marvin	Skillman
Backenstose	Gere	McFalls	Skinner
S. Baldwin	Gilbert	McGraw	Smith
M. L. Baldwin	J. G. Graham	McKee	Speaker
Barnes	Gulick	Moody	Spicer
Billings	Hammond	Moore	Stephenson
Billington	Hayes	Morey	Strahan
E. Case	Hepburn	Noyes	Suydam
G. M. Case	Herbst	Orr	Taylor
T. A. Case	Hodges	Peck	Thistlethwaite
Clapp	Husted	Post	Valentine
Clark	Keator	Santee	Webb
Corbett	King	Shannon	Welsh
Corsa	Langbein	Sheldon	Wickes
Cowdin			

Those who voted in the negative, were

Baker	Dillmeier	Maynard	H. H. Rockwell
Bissell	Dimond	McGroarty	W. L. Rockwell
Bowen	Filkin	Mitchell	Ruggles
Bradley	Flecke	Moller	Sager
Brill	Floyd-Jones	Nachtmann	Sanders
J. H. Brown	Galvin	Neilson	Shanley
Burns	Grady	Niven	Sliter
Childs	Hamilton	O'Hare	Spinola
Coulter	Healy	Piper	Stein
Cozans	Herrick	Potter	Stone
Crowley	Langner	Proper	Tabor
Coulter	Lyon	Purdy	Tighe
Davenport	Maher	Rice	Wemple

Mr. Husted moved to extend the time of this session, for the purpose of taking up the orders of "introduction of bills" and "reports of committees."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Sager introduced a bill entitled "An act to authorize the payment of certain moneys out of the State treasury to the heirs-at-law of Maria Brimmayer, deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Skillman introduced a bill entitled "An act to amend an act entitled 'An act to revise, amend and consolidate the laws in relation to the village of Norwich, in the county of Chenango,' passed March 23, 1867, and other acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, petitions on the same subject, which were read and referred to the same committee.

Mr. Taylor introduced a bill entitled "An act to amend chapter 101 of the Laws of 1862, entitled 'An act in relation to the support and custody of indigent insane persons of the county of Genesee,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Skinner introduced a bill entitled "An act to cancel and annul a bond executed and delivered to the city of Watertown by Byron D. Adsit, with sureties, dated January 6, 1874, and to release and discharge the said Byron D. Adsit and his sureties from all liability thereon," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a petition on the same subject, which was read and referred to the same committee.

Mr. McGroarty introduced a bill entitled "An act directing the Brooklyn Trust Company to pay over to the supervisor of the town of New Lots, certain moneys deposited with them by the commissioners for the laying out, grading and improving Atlantic avenue, in the town of New Lots, in the county of Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Stephenson introduced a bill entitled "An act to amend an act entitled 'An act authorizing Jonathan Preston to establish and continue a ferry across Deering's Harbor, from Greenport to Shelter Island,' passed April 9, 1859," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Tighe introduced a bill entitled "An act to release the interest of the people of the State of New York in certain real estate in the city of Brooklyn, county of Kings, to Ellen Allman, widow of Otto Allman," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

Mr. Lyon introduced a bill entitled "An act providing for the appointment of stenographers in and for the justices' courts and police justices' courts in the city of Brooklyn, county of Kings," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on affairs of cities.

Mr. Flecke introduced a bill entitled "An act in relation to the repairing of streets in the city of New York south of Fourteenth street, from North to East river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to amend chapter 335 of Laws of 1873, entitled 'An act to reorganize the local government of the city of New York,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Healy introduced a bill entitled "An act to amend chapter 335 of Laws of 1873, entitled 'An act to reorganize the local government of the city of New York,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Cowdin introduced a bill entitled "An act to provide for stability of construction and security against conflagration, panic or other accident in theatres hereafter to be erected in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to validate and confirm the title to certain real estate in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Corsa introduced a bill entitled "An act to amend chapter 335 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873, and the acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to amend chapter 479 of the Laws of 1875, entitled 'An act in relation to the jurisdiction of the marine court of the city of New York and the justices of said court,' passed June 3, 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hayes introduced a bill entitled "An act to regulate the granting of excise licenses within the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Langbein introduced a bill entitled "An act to incorporate St. Raymond's Cemetery of Westchester, in the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Also, a bill entitled "An act further to amend chapter 348 of the Laws of 1860, entitled 'An act to secure to creditors a just division of the estates of debtors who convey to assignees for the benefit of creditors,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Strahan introduced a bill entitled "An act to provide for the appointment of marshals in the city of New York, and to regulate the fees to be allowed to such marshals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to further amend an act entitled 'An act further to amend chapter 379 of the Laws of 1848, entitled An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Bissell introduced a bill entitled "An act to provide for the introduction of the Stevenson traction system of towage on the Erie canal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Piper introduced a bill entitled "An act to amend chapter 737 of the Laws of 1873, entitled 'An act in relation to the creation and formation of water-works companies in towns and villages of the State of New York,' passed June 12, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Smith introduced a bill entitled "An act to amend section 3 of chapter 443 of the Laws of 1876, entitled 'An act supplemental to the act entitled An act to revise the charter of the city of Syracuse, passed March 3, 1857, and the acts amendatory thereto,' passed June 2, 1876," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to amend chapter 28 of the Laws of 1876, entitled 'An act to provide for an additional justice of the peace in the town of Onondaga, county of Onondaga,' passed February 21, 1876," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Filkin introduced a bill entitled "An act authorizing district attorneys to appoint each one person to act as constable in the service of criminal process," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hepburn introduced a bill entitled "An act to amend section 3, article 2, title 6, chapter 6, part 1 of the Revised Statutes, in relation to the election of President and Vice-President," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Childs introduced a bill entitled "An act to amend chapter 279 of the Laws of 1833, entitled 'An act requiring mortgages of personal property to be filed in the town clerks' office and other offices,' passed April 29, 1833," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Brill introduced a bill entitled "An act to exempt the county of Suffolk from the provisions and operation of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,' passed April 29, 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Also, a petition on the same subject, which was read and referred to the same committee.

Mr. Baker introduced a bill entitled "An act to amend an act entitled 'An act to revise and consolidate the several laws in relation to the village of Whitehall,' passed March 16, 1850, and the other acts amenda-

tory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Valentine introduced a bill entitled "An act in relation to the instruction of common school teachers in academies and academical departments of union schools," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Purdy introduced a bill entitled "An act to legalize and confirm a patent issued to the late village of Yonkers, for lands below high-water mark in Main street in the city of Yonkers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to amend an act entitled 'An act to re-enact and amend an act entitled An act to provide for the annexation of the towns of Morrisania, West Farms and Kingsbridge, in the county of Westchester, to the city and county of New York,' passed May 6, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Husted introduced a bill entitled "An act to provide for the improvement of the statutes relating to life insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Moller introduced a bill entitled "An act to incorporate the Library and Reading Room of the village of Port Chester, in Westchester county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, a bill entitled "An act in relation to commutation and other fares for transporting passengers by railroad companies chartered by or incorporated in any other State, and doing business in the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Marvin introduced a bill entitled "An act to amend section 407 of the Code of Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hayes introduced a bill entitled "An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Hayes, Int. No. 97, entitled "An act to extend to certain incorporated societies the application of the term 'public library' in section 4, of title 1, of chapter 13, of part 1 of the Revised Statutes, exempting certain property from taxation," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

(Mr. Alvord dissented).

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Alvord, Int. No. 255, entitled "An act in relation to the bonded indebtedness of villages, cities, towns and



counties," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Maynard, Int. No. 318, entitled "An act to amend section 4, title 2, chapter 13, part 1 of the Revised Statutes, in relation to the assessment and collection of taxes," reported the same for the consideration of the House.

By unanimous consent,

Mr. Husted offered for the consideration of the House a resolution, in the words following :

*Resolved*, That the committee on ways and means be discharged from the further consideration of the bill entitled "An act to provide for making to the New York Infirmary for Women and Children, the same allowances and payments for the care and maintenance of lying-in and nursing women as are now provided by law for the New York Infant Asylum," and that the same be referred to the committee on affairs of cities.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. McGroarty, Int. No. 319, entitled "An act to establish a police district in the town of New Lots, and to provide for the government thereof," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Marvin, Int. No. 262, entitled "An act to amend an act entitled 'An act to authorize the appointment of a person to be public administrator in the county of Kings, and to determine the powers and duties of such officer,'" reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Santee, Int. No. 95, entitled "An act to amend an act entitled 'An act to amend section 19 of chapter 570 of the Laws of 1872, entitled An act to ascertain by proper proofs the citizens who shall be entitled to the right of suffrage in the State of New York, except in the city and county of New York and the city of Brooklyn, and to repeal chapter 572 of the Laws of 1871, entitled An act to amend an act entitled an act in relation to elections in the city and county of New York,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Sliter, Int. No. 320, entitled "An act to amend chapter 398 of the Laws of 1876, entitled 'An act to provide for the election and compensation of coroners in the county of Rensselaer,'" reported adversely thereto.

Mr. Sliter moved to lay said report on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Marvin, Int. No. 300, entitled "An act

in relation to transcripts and docketing judgments recovered in justices' courts," reported adversely thereto, which report was agreed to.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Nachtmann, Int. No. 101, entitled "An act to amend chapter 590 of the Laws of 1872, entitled 'An act to regulate processions and parades in the cities of the State of New York,' passed May 7, 1872," reported adversely thereto.

(Mr. Mitchell dissented).

Mr. Nachtmann moved to lay said report on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Cowdin, Int. No. 75, entitled "An act to secure greater economy in the government of the city of New York," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. J. G. Graham, Int. No. 328, entitled "An act to authorize the city of Newburgh to borrow moneys and issue bonds therefor, in payment of the enlargement and improvement of the water-works of said city," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was recommended the bill introduced by Mr. Corsa, Int. No. 187, entitled "An act to provide for the completion of the court-house in the third judicial district in the city of New York," (retaining its place on third reading of bills) reported the same back to the House, without amendment.

Mr. Gilbert, from the committee on railroads, to which was referred the bill introduced by Mr. Shanley, Int. No. 144, entitled "An act to repeal chapter 502 of the Laws of 1873, entitled 'An act to amend section 3 of chapter 533 of the Laws of 1867, entitled An act for the relief of the Van Brunt Street and Erie Basin Railroad Company,'" reported in favor of the passage of the same, with amendments, the title amended so as to read "An act to amend chapter 502 of the Laws of 1873, entitled 'An act to amend section 3 of chapter 533 of the Laws of 1867, entitled An act for the relief of the Van Brunt Street and Erie Basin Railroad Company,'" which report was agreed to, and said bill committed to the committee of the whole.

Mr. Bowen, from the committee on internal affairs, to which was referred the bill introduced by Mr. Bowen, Int. No. 202, entitled "An act to amend chapter 820 of the Laws of 1873, entitled 'An act to amend an act entitled An act to suppress intemperance and to regulate the sale of intoxicating liquors,' passed April 16, 1873," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Noyes, from the committee on affairs of villages, to which was recommended the bill introduced by Mr. Taylor, Int. No. 162, entitled "An act to amend chapter 148 of the Laws of 1853, entitled 'An act to incorporate the Fireman's Benevolent Association of the village of LeRoy,' passed April 11, 1853," reported the same back to the House, with amendments, and said bill was replaced on calendar of general orders.

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Maynard, Int. No. 242, entitled "An

act to legalize and confirm the proceedings of the board of trustees of the village of Andes, in the county of Delaware, in relation to the purchase of hydrants for the use of said village and the creation of a debt for that purpose, and to provide for the payment thereof," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Noyes, from the committee on affairs of villages, to which was referred the Senate bill entitled "An act to provide for the purchase of a steam fire engine and a fire apparatus in the village of Brockport, and for the more effectual protection of said village against fire," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. W. L. Rockwell, and by unanimous consent, said bill was ordered to a third reading.

Mr. Barnes, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend the charter of the Watertown Fire Insurance Company, organized under the general act to incorporate fire insurance companies, December 7, 1867."

"An act in relation to bets, wagers and pools."

"An act to authorize the board of supervisors of the county of Columbia to provide for the payment of the principal of a portion of the bounty debt of said county, by issuing new bonds."

"An act to authorize the payment of certain moneys out of the State treasury to the heir-at-law of James Green, deceased."

Mr. Gere, from the committee on militia, to which was referred the bill introduced by Mr. Morey, Int. No. 302, entitled "An act supplementary to chapter 273 of the Laws of 1866, entitled 'An act authorizing the incorporation of associations to erect monuments to perpetuate the memory of soldiers who fell in defense of the Union,' passed March 30, 1866," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Spinola, at 2 o'clock and 20 minutes, the House adjourned.

## THURSDAY, FEBRUARY 8, 1877.

The House met pursuant to adjournment.

Prayer by Rev. S. E. Smith.

The journal of yesterday was read and approved.

The Senate returned the bill entitled as follows:

"An act to provide for the payment of the interest due on certain bonds of the county of Greene, known as the bonds to refund taxes to banks, by issuing new bonds."

*Ordered*, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to provide for the better administration of justice in the town of Watervliet, in the county of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 348 of the Laws of 1860, entitled 'An act to secure to creditors a just division of the estates of debtors who convey to assignees, for the benefit of creditors,' as amended by chapter 56 of the Laws of 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 586 of the Laws of 1867, entitled 'An act to enable the board of supervisors of the county of New York to raise money by tax for the use of the corporation of the city of New York, and in relation to the expenditure thereof, and to provide for the auditing and payment of unsettled claims against said city, and in relation of actions at law against said corporation,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 379 of the Laws of 1860, entitled 'An act relating to actions, legal proceedings and claims against the mayor, aldermen and commonalty of the city of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A message from the Senate was received and read, requesting the concurrence of the Assembly to resolutions in the words following:

*Resolved* (if the Assembly concur), That 3,000 copies of the annual report of the Board of Managers of the New York State Lunatic Asylum at Utica, be printed; 2,000 copies for the use of the managers, and 1,000 for the use of the Legislature.

*Resolved* (if the Assembly concur), That 1,000 copies of the eighth annual report of the New York State Blind Asylum at Batavia, be printed for the use of the institute.

*Resolved* (if the Assembly concur), That 1,500 extra copies of the tenth annual report of the State Board of Charities, be printed for the use of the board; 500 copies to be bound in muslin, and 1,000 in paper covers, to be furnished without accompanying lithographic plates.

*Resolved* (if the Assembly concur), That there be printed 2,000 copies of the twenty-eighth annual report of the Managers of the Western House of Refuge for Juvenile Delinquents for the use of the managers, the same to be furnished without accompanying lithographic plates.

*Resolved* (if the Assembly concur), That 1,500 extra copies of the eighth annual report of the trustees of the Willard Asylum, be printed for the use of the asylum.

Said resolutions giving rise to debate,

*Ordered*, That the same be laid on the table.

On motion of Mr. W. L. Rockwell, and by unanimous consent, the Senate bill entitled "An act to provide for the purchase of a steam fire engine and a fire apparatus in the village of Brockport, and for the more effectual protection of said village against fire," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord  
Backenstose

Curran  
Davenport

Maher,  
Maynard

Sager  
Sanders,

S. Baldwin	Dillmeier	McGraw	Santee
M. L. Baldwin	Fish	McGroarty	Shanley
Barnes	Flecke	McKee	Shannon
Billings	Floyd-Jones	Moody	Sheldon
Billington	Gallagher	Moore	Skinner
Bissell	Gilbert	Morey	Sliter
Bowen	J. G. Graham	Niveu	Smith
Bradley	Gulick	Orr	Spicer
Brill	Hamilton	Peck	Stephenson
J. S. Brown	Hammond	Piper	Stone
Bulmer	Hayes	Post	Suydam
E. Case	Healy	Potter	Tabor
G. M. Case	Herbst	Proper	Taylor
T. A. Case	Hodges	Purdy	Thistlethwaite
Childs	Holahan	Rice	Tighe
Clapp	Humphrey	H. H. Rockwell	Valentine
Corbett	Keator	W. L. Rockwell	Webb
Coulter	Langbein	Rooney	Wemple
Cozans	Longyear	Ruggles	Wickes
Crowley	Lyon		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The privileges of the floor were granted to the Hon. A. P. Higgins and the Hon. N. P. O'Brien.

Mr. Baker moved to take from the table the report of the committee of the whole on the bill entitled as follows:

"An act in relation to the office of Superintendent of Public Works, defining the powers of the superintendent and prescribing the mode of disbursements on account of the canals."

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

The question being on granting leave to sit again,

Mr. Speaker put the question whether the House would grant said request, and it was determined in the affirmative.

This being the day assigned by the rules for the consideration of general orders,

The House resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction.'"

"An act to provide for the revision of the laws relative to the administration of justice in the district courts of the city of New York."

"An act in relation to the office of Superintendent of Public Works, defining the powers of the superintendent, and prescribing the mode of disbursements on account of the canals."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. J. G. Graham, from said committee, reported in favor of the passage of said first mentioned bill, with an amendment; which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. G. Graham, from said committee, also reported progress on said second mentioned bill, and asked leave to sit again.

The question being on granting leave,

Mr. Strahan moved that the committee of the whole be discharged

from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Strahan moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Strahan, and it was determined in the affirmative.

{ AYES 82 }  
{ NOES 25 }

Those who voted in the affirmative, were

Alvord	Gallagher	McKee	Sanders
Backenstose	Gere	Mitchell	Santee
Baker	Gilbert	Moller	Shannon
Barnes	J. G. Graham	Moody	Sheldon
Billings	Gulick	Moore	Skillman
Billington	Hammond	Morey	Skinner
Bowen	Hayes	Neilson	Sliter
E. Case	Healy	Niven	Smith
G. M. Case	Hepburn	Noyes	Speaker
T. A. Case	Herbst	O'Hare	Spicer
Clapp	Hodges	Orr	Stephenson
Corbett	Humphrey	Peck	Strahan
Corsa	Husted	Piper	Suydam
Coulter	Keator	Post	Taylor
Cowdin	Lang	Potter	Thistlethwaite
Cozans	Langbein	Rice	Valentine
Davenport	Longyear	H. H. Rockwell	Waddell
Dimond	Marvin	W. L. Rockwell	Webb
Fay	Maynard	Ruggles	Wickes
Filkin	McFalls	Sager	Williams
Fish	McGraw		

Those who voted in the negative, were

Bradley	Flecke	Holahan	Shanley
Brick	Floyd-Jones	Maher	Spinola
Brill	Galvin	McGroarty	Stone
Bulmer	Grady	Nachtmann	Tabor
Burns	Hamilton	Proper	Welsh
Childs	Herrick	Purdy	Wemple
Dillmeier			

When the name of Mr. Welsh was called, he asked to be, and was not, excused from voting.

Said bill was then ordered engrossed for a third reading.

Mr. J. G. Graham, from said committee, also reported in favor of the passage of said third mentioned bill, with amendments.

The question being on agreeing to said report,

Mr. Potter moved to amend the report of the committee of the whole in the words following:

Section 1, line 3, strike out the words "seven thousand five hundred" and insert the words "five thousand." In section 2, line 3, strike out the word "three" and insert the word "two." Said amendments having been offered in committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Potter, and it was determined in the negative.

{ AYES 31 }  
{ NOES 69 }

Those who voted in the affirmative, were

Backenstose	Hammond	Moore	Skillman
M. L. Baldwin	Hepburn	Morey	Spicer
Billings	Keator	Noyes	Suydam
Brill	Maynard	Orr	Valentine
J. S. Brown	McFalls	Peck	Waddell
T. A. Case	McGraw	Potter	Welsh
Corbett	McKee	Santee	Wickes
Gulick	Moody	Shannon	

Those who voted in the negative, were

Alvord	Dillmeier	Humphrey	H. H. Rockwell
Baker	Dimond	Langbein	W. L. Rockwell
Barnes	Filkin	Langner	Ruggles
Bjassell	Fish	Longyear	Sager
Bowen	Floyd-Jones	Maher	Sanders
Bradley	Gallagher	McGroarty	Shanley
J. H. Brown	Galvin	Mitchell	Sheldon
Bulmer	Gere	Moller	Skinner
E. Case	Gilbert	Nachtmann	Sliter
G. M. Case	Grady	Neilson	Stephenson
Childs	J. G. Graham	Niven	Stone
Clapp	Hamilton	O'Hare	Tabor
Coulter	Healy	Piper	Thistlethwaite
Cowdin	Herrick	Post	Tighe
Cozans	Herbst	Proper	Webb
Crowley	Hodges	Purdy	Wemple
Curran	Holahan	Rice	Williams
Davenport			

Mr. Alvord moved to strike out, in section 1, line 3, the words "seven thousand five hundred" and insert the words "six thousand," the same having been offered in committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Alvord, and it was determined in the affirmative.

{ AYES 68 }  
{ NOES 41 }

Those who voted in the affirmative, were

Alvord	Fay	McFalls	Skillman
Backenstose	Filkin	McGraw	Skinner
Baker	Gere	McKee	Sliter
M. L. Baldwin	Gilbert	Moody	Smith
Barnes	Gulick	Moore	Speaker
Billings	Hammond	Morey	Spicer
Billington	Hayes	Noyes	Spinola
Bowen	Healy	Orr	Stephenson
J. S. Brown	Hepburn	Peck	Strahan
E. Case	Herbst	Post	Suydam

G. M. Case	Humphrey	Potter	Taylor
T. A. Case	Husted	W. L. Rockwell	Thistlethwaite
Clapp	Keator	Ruggles	Valentine
Corbett	Langbein	Sager	Waddell
Corsa	Langner	Santee	Welsh
Cowdin	Marvin	Shannon	Wickes
Curran	Maynard	Sheldon	Williams

Those who voted in the negative, were

Bissell	Dillmeier	Herrick	Proper
Bradley	Dimond	Hodges	Purdy
Brick	Fish	Holahan	Rice
Brill	Flecke	Longyear	H. H. Rockwell
Bulmer	Floyd-Jones	Maher	Sanders
Burns	Gallagher	McGroarty	Shanley
Childs	Galvin	Mitchell	Stone
Coulter	Grady	Nachtmann	Tabor
Cozans	J. G. Graham	Niven	Tighe
Crowley	Hamilton	Piper	Wemple
Davenport			

When the name of Mr. Lang was called he asked to be, and was, excused from voting.

Mr. Moore moved to further amend said bill in the words following :

Section 2, in line 3, strike out the words "three thousand" and insert the words "two thousand five hundred," said amendment having been offered in committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Moore, and it was determined in the negative.

{ AYES 34 }  
{ NOES 69 }

Those who voted in the affirmative, were

S. Baldwin	Herbst	Orr	Stone
Billings	Keator	Peck	Suydam
Billington	McFalls	Potter	Taylor
T. A. Case	McGraw	Santee	Thistlethwaite
Corbett	McKee	Shannon	Valentine
Gilbert	Moody	Skinner	Welsh
Gulick	Moore	Spicer	Wickes
Hammond	Morey	Stephenson	Williams
Healy	Noyes		

Those who voted in the negative, were

Alvord	Curran	Holahan	Post
Backenstose	Davenport	Humphrey	Proper
Baker	Dillmeier	Husted	Purdy
Barnes	Fay	Langbein	Rice
Bissell	Filkin	Langner	H. H. Rockwell
Bowen	Fish	Longyear	W. L. Rockwell
Bradley	Flecke	Lyon	Ruggles
Brick	Floyd-Jones	Maher	Sager
Brill	Gallagher	Marvin	Sanders
J. S. Brown	Galvin	Maynard	Shanley



Bulmer	Gere	McGroarty	Skillman
Childs	Grady	Mitchell	Smith
Clapp	J. G. Graham	Nachtmann	Strahan
Corsa	Hamilton	Neilson	Tabor
Coulter	Hayes	Niven	Tighe
Cowdin	Herrick	O'Hare	Waddell
Cozans	Hodges	Piper	Wemple
Crowley			

Mr. Speaker then put the question whether the House would agree to said report, as amended, and it was determined in the affirmative.

Said bill was then ordered engrossed for a third reading.

The Private Secretary of the Governor appeared in the Assembly Chamber, and presented two communications from His Excellency the Governor, in the words following :

STATE OF NEW YORK — EXECUTIVE CHAMBER, }  
ALBANY, *February 8, 1877.* }

*To the Assembly :*

I return herewith, without my approval, Assembly bill, not printed, entitled "An act to legalize and confirm the official acts of J. Marshall Guion, a justice of the peace in the town of Seneca Falls, in the county of Seneca, and to enable him to take and file his oath of office."

The bill is based upon the fact that the justice did not take or file the oath required by the Constitution and laws before entering upon the duties of his office, or within the time prescribed. Being of opinion that the effect of such omission was a forfeiture of his office, and that the Legislature had no power to reinstate him, I referred the matter to the Attorney-General, and have received from him the following opinion :

"HON. LUCIUS ROBINSON, *Governor :*

"Sir — I am of the opinion that a law which continues in office a justice of the peace who has neglected to file his oath of office within the time fixed by law, is unconstitutional.

"Article VI, section 18 of the Constitution, is as follows: 'The electors of the several towns shall, at their annual town meeting, and in such manner as the Legislature may direct, elect justices of the peace, whose terms of office shall be four years. In case of a vacancy occurring before the expiration of a full term, they shall hold for the residue of the unexpired term.'

"Article X, section 5, is as follows: 'The Legislature shall provide for filling vacancies in office, and in case of elective officers, no person appointed to fill a vacancy shall hold his office, by virtue of such appointment, longer than the commencement of the political year next succeeding the first annual election after the happening of the vacancy.' Section 8 is as follows: 'The Legislature may declare the cases in which any office shall be deemed vacant when no provision is made for that purpose.'

"Article XII requires an oath. Section 21, p. 109, vol. 1, R. S., Edms. ed., fixes the time within which the oath must be filed. Section 34, p. 112, of same volume declares that an office shall become vacant upon the neglect or refusal of the incumbent to take the oath of office within the time required by law. And chapter 474 of the Laws of 1859, prescribes the mode of filling vacancies in the office of justice of the peace.

"All the contingencies contemplated by the Constitution in the above

cited provision have been provided for by the Legislature in the above cited statutes. Therefore, the failure to take the oath, creates a vacancy. The law provides for filling the vacancy by appointment; but the Constitution forbids the holding of the office so filled longer than the commencement of the political year next succeeding the first annual election after the happening of the vacancy. A law which attempts to continue an elective officer longer than that time is directly in conflict with the Constitution.

"The logic of certain decisions of the Court of Appeals, I believe fully bears out this view. These decisions are:

"People ex rel. v. Crooks, 53 N. Y., 648.

"People ex rel. v. McKinney, 52 N. Y., 374.

"People ex rel. v. Bull, 48 N. Y., 57.

"Very respectfully your obedient servant,

"CHARLES S. FAIRCHILD, *Attorney-General*."

In this opinion of the Attorney-General I fully concur. If the office was forfeited the Legislature has clearly no power to fill the vacancy. If it was not forfeited the bill is unnecessary.

L. ROBINSON.

Mr. Husted moved that the message of the Governor be printed, and the message and bill referred to the committee on general laws.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

STATE OF NEW YORK — EXECUTIVE CHAMBER, }  
ALBANY, *February* 8, 1877. }

*To the Assembly:*

I return without my approval Assembly bill No. 17, entitled "An act to amend an act entitled 'An act to incorporate the city of Binghamton, passed April 9, 1867,' and the acts amendatory of the same."

The bill proposes to amend the first section of title five of the charter of the city of Binghamton by striking out from said section (which enumerates the powers of the mayor) this sentence: "He shall be *ex-officio* a member of the board of education." The sole object of the bill, therefore, is to remove the mayor from the board. I can see no good reason for this change. The board of education expends a large proportion of the taxes of the city, about one-half thereof, as I am informed. While the mayor has a veto upon all the appropriations made by the common council, neither he nor any other officer has any such power in regard to appropriations made by the board of education. It seems to be a very wise and just provision, therefore, that he should be a member of that body. He is the only member of it elected by the people of the whole city. There is no evidence that the proposed change in the charter is desired by the people of the city. On the contrary, the common council, by a strong majority, have passed resolutions disapproving it, and a great many prominent citizens, without regard to party, have signed petitions to the same effect.

L. ROBINSON.

Mr. Moody moved that the message of the Governor relating to Assembly bill, No. 17, entitled "An act to amend an act entitled 'An act to incorporate the city of Binghamton, passed April 9, 1867,' and the acts amendatory of the same," be laid on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Husted moved that the time of this session be extended until the Speaker has cleared his desk.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate returned the bill entitled "An act to amend an act entitled 'An act for the incorporation of villages,' passed April 20, 1870, so far as the same relates to the village of Brockport, in the county of Monroe," with a message informing that they had passed the same, with the following amendment:

Strike out all after the enacting clause and insert as follows:

SECTION 1. Subdivision twenty-three of section three of title three of chapter two hundred and ninety-one of the Laws of eighteen hundred and seventy, entitled "An act for the incorporation of villages," is hereby amended so as to read as follows:

23. To regulate the use of candles, kerosene or burning materials of any kind, or lights or fires in barns and stables, and other places liable to take fire, and to control the construction of buildings, as to material, and prescribe the limits within which wooden buildings shall not be built, and prescribe the penalty, not exceeding one thousand dollars, for a violation of any ordinance passed relating thereto.

§ 2. This act shall take effect immediately.

Amend the title so as to read as follows: "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages.'"

The amendment having been read,

Mr. Speaker then put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Fish	Langner	Ruggles
Backenstose	Flecke	Longyear	Sager
Baker	Floyd-Jones.	Maher	Sanders
M. L. Baldwin	Gallagher	McFalls	Santee
Barnes	Galvin	McGraw	Shanley
Billings	Gilbert	McGroarty	Shannon
Bissell	Grady	McKee	Sheldon
Bowen	J. G. Graham	Moody	Skinner
Brick	Gulick	Moore	Sliter
Brill	Hamilton	Morey	Spicer
Bulmer	Hammond	Neilson	Stone
E. Case	Hayes	Niven	Strahan
T. A. Case	Hepburn	Noyes	Suydam
Clapp	Herbst	Orr	Taylor
Corbett	Hodges	Peck	Thistlethwaite
Cozaus	Holahan	Piper	Tighe
Curran	Humphrey	Post	Waddell
Davenport	Husted	Potter	Webb
Dillmeier	Keator	H. H. Rockwell	Wemple
Filkin	Langbein	W. L. Rockwell	

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendment.

Mr. Speaker presented communications from the following named life insurance companies, in response to a resolution of the Assembly, adopted January 24, 1877: Mutual Life Insurance Company, New York; World Mutual Life Insurance Company, New York; Provident Savings Life Insurance Company, New York; Brooklyn Life Insurance Company, New York; Metropolitan Life Insurance Company, New York; Excelsior Life Insurance Company, New York; Home Life Insurance Company, New York; Manhattan Life Insurance Company, New York; Government Security Life Insurance Company, New York; Homœopathic Mutual Life Insurance Company, New York; Atlantic Mutual Life Insurance Company, New York; Washington Life Insurance Company, New York; which were laid on the table and ordered printed.

(See Doc. No. 42.)

Whereupon, at 2 o'clock and five minutes, the House adjourned.

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FRIDAY, FEBRUARY 9, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Frank Smith.

The journal of yesterday was read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to amend chapter 611 of the Laws of 1875, entitled 'An act to provide for the organization and regulation of certain business corporations,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the trustees under the will of James Cunningham, to convey to the city of Brooklyn certain lands and hereditaments at the foot of Noble street, in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act authorizing the trustees of the First Methodist Church and the Young's Society of Jamesville, Onondaga county, to convey certain real estate," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Alvord, and by unanimous consent, said bill was ordered to a third reading.

The Senate returned the bill entitled as follows:

"An act to amend section 73 of chapter 370 of the Laws of 1875, entitled 'An act to amend and consolidate the several acts relating to the city of Elmira.'"

*Ordered*, That the Clerk deliver said bill to the Governor.

Mr. Moody introduced a bill entitled "An act to amend an act fixing the fees of justices of the peace and constables in civil and criminal cases, and the fees of jurors and witnesses in justices' courts, and for other purposes, passed April 20, 1866, chapter 692," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a petition on the same subject, which was read and referred to the same committee.

Mr. Webb introduced a bill entitled "An act for the better protection of life and property upon the various railroads in the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Gallagher introduced a bill entitled "An act to amend section 16 of title 7 of an act entitled 'An act to revise the charter of the city of Buffalo, passed April 28, 1870,' in relation to the payment of orders drawn upon local funds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. McKee introduced a bill entitled "An act to amend chapter 27 of the Laws of 1861, entitled 'An act in relation to the support of the poor in the county of Herkimer,' passed February 28, 1861," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Skinner introduced a bill entitled "An act to amend sections 1 and 6 of chapter 280 of the Laws of 1845, entitled 'An act for the publication of the Session Laws in two newspapers in each county of the State,' passed May 14, 1845," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act for the relief of school districts wishing to contract with boards of education of cities to educate their children in city schools," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Sheldon introduced a bill entitled "An act to amend chapter 135 of the Laws of 1876, entitled 'An act to authorize plank-road and turnpike companies, formed under and by virtue of an act entitled An act to provide for the incorporation of companies to construct turnpike roads, passed May 7, 1847,' to extend their charters and corporate existence," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Also, a petition on the same subject, which was read and referred to the same committee.

Mr. Strahan introduced a bill entitled "An act to provide for perfecting and perpetuating the right and title of the city of New York to property, water, water-rights and privileges heretofore taken or used, or which may be hereafter taken or used by said city to increase the supply of pure and wholesome water for the use of said city, and to provide for the payment and extinguishment of all claims or damages growing out of such taking or using," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Alvord introduced a bill entitled "An act to amend the charter of the city of Syracuse," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Alvord, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Floyd-Jones	McFalls	Shannon
Baker	Gallagher	McGraw	Sheldon
Billings	Galvin	McGroarty	Skinner
Billington	Gere	McKee	Sliter
Bissell	Gilbert	Moody	Smith
Bowen	Grady	Moore	Speaker
Bradley	J. S. Graham	Morey	Spicer
Brick	Gulick	Neilson	Spinola
J. H. Brown	Hamilton	Niven	Stephenson
J. S. Brown	Hammond	Noyes	Stone
E. Case	Healy	Peck	Strahan
G. M. Case	Hepburn	Piper	Suydam
T. A. Case	Herrick	Post	Tabor
Clapp	Herbst	Potter	Taylor
Corbett	Holahan	Proper	Thistlethwaite
Corsa	Humphrey	Rice	Tighe
Coulter	Husted	H. H. Rockwell	Valentine
Cowdin	Keator	W. L. Rockwell	Waddell
Cozans	Langbein	Ruggles	Webb
Curran	Longyear	Sager	Welsh
Dillmeier	Lyon	Sanders	Wemple
Dimond	Maher	Santee	Wickes
Fish	Marvin	Shanley	Williams
Flecke	Maynard		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Strahan introduced a bill entitled "An act in relation to the foreclosure of mortgages," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Smith introduced a bill entitled "An act to authorize the appointment of commissioners to compile or prepare a series of text or school books for use in the common schools of the State of New York, and for their publication," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Also a bill entitled "An act for the preservation of fish in the waters of Onondaga, Oneida and Cross lakes and their tributaries and outlets, in the counties of Onondaga and Oswego," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Mr. Billings introduced a bill entitled "An act to repeal section 1, chapter 626, of Laws of 1853, relating to the assessment of highway labor along the line of plank and turnpike roads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Fish introduced a bill entitled "An act to legalize the acts of

Charles C. Wakeley, as notary public," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Bulmer introduced a bill entitled "An act to authorize commutations between railroad companies and students and apprentices," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Brick introduced a bill entitled "An act to amend and revise the charter of the village of New Brighton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, a bill entitled "An act further to amend chapter 819 of the Laws of 1866, entitled 'An act to incorporate the village of New Brighton,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Neilson introduced a bill entitled "An act authorizing the trustees of the village of Balston Spa to issue bonds to be known as extended water bonds, to pay a portion of the water bonds now outstanding of said village, maturing in the year 1877, and thereafter," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Gulick introduced a bill entitled "An act to provide for the stationing of a watchman or guard at dangerous railroad crossings in incorporated villages," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Ruggles introduced a bill entitled "An act to repeal chapter 392 of the Laws of 1871, entitled 'An act for the relief of the Bath Library Association,' passed April 6, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hayes introduced a bill entitled "An act to incorporate the Veteran Guard of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia.

Also, a bill entitled "An act to prevent confusion in the names of insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Also, a bill entitled "An act in relation to railroad corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Purdy, on behalf of Mr. Mitchell, introduced a bill entitled "An act to provide for the payment for the use and occupation of the rooms occupied by the several courts provided for by chapter 329 of the Laws of 1874, entitled 'An act to re-enact and amend an act entitled An act to provide for the annexation of the towns of Morrisania, West Farms and Kingsbridge, in the county of Westchester, to the city and county of New York, passed May 23, 1873,'" which was read the first time, and by unanimous consent, was also read the second time, and referred to the committee on affairs of cities.

Also, petitions on the same subject, which were read and referred to the same committee.

Leave of absence was granted to Messrs. Ecclesine, Clark and King.

The privileges of the floor were granted to the Hon. John Van Buren. Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Tighe, Int. No. 22, entitled "An act to authorize the common council of the city of Brooklyn to open, grade, pave and complete Douglas street and DeGraw street in said city, from Nevins street to the Gowanus canal," reported adversely thereto.

Mr. Tighe moved to lay said report on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Cowdin, Int. No. 157, entitled "An act in relation to the cleaning the streets of the city of New York," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

(Messrs. Mitchell, McGroarty and Tabor dissenting.)

Mr. Fish, from the committee on affairs of cities, to which was recommended the bill introduced by Mr. Corsa, Int. No. 138, entitled "An act to amend chapter 742 of the Laws of 1871, entitled 'An act in relation to storage and the keeping of combustible material in the city of New York, the use and control of the fire-alarm telegraph, the incumbrance of hydrants, and other purposes connected with the prevention and extinguishment of fires therein, and imposing certain powers and duties upon the board of fire commissioners of the said city,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. McGroarty, Int. No. 345, entitled "An act directing the Brooklyn Trust Company to pay over to the supervisor of the town of New Lots, certain moneys deposited with them by the company for the laying out, grading and paving Atlantic avenue in the town of New Lots, in the county of Kings," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Tabor, Int. No. 179, entitled "An act to confirm the proceedings taken by the common council of the city of Buffalo to clean the sewer in Wadsworth street, between Hudson and Pennsylvania streets, in said city," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Tabor, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Fish	Maynard	Sanders
Barnes	Flecke	McFalls	Santee
Bissell	Floyd-Jones	McGraw	Shanley
Bowen	Gallagher	McGroarty	Shannon
Bradley	Galvin	McKee	Sheldon



Brick	Gilbert	Moller	Skinner
Brill	Grady	Moody	Sliter
J. H. Brown	J. G. Graham	Moore	Smith
J. S. Brown	J. S. Graham	Niven	Speaker
Bulmer	Gulick	Noyes	Stone
E. Case	Hamilton	Peck	Suydam
G. M. Case	Hammond	Piper	Tabor
T. A. Case	Hayes	Post	Taylor
Corbett	Herrick	Potter	Thistlethwaite
Corsa	Holahan	Proper	Tighe
Coulter	Humphrey	Purdy	Valentine
Cowdin	Keator	Rice	Waddell
Cozans	Langbein	H. H. Rockwell	Webb
Curran	Langner	W. L. Rockwell	Wemple
Davenport	Longyear	Ruggles	Wickes
Dillmeier	Lyon	Sager	Williams
Fay	Maher		

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Skinner, Int. No. 344, entitled "An act to cancel and annul a bond executed and delivered to the city of Watertown by Byron D. Adsit, with sureties, dated January 6, 1874, and to release and discharge the said Byron D. Adsit and his sureties from all liabilities thereon," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Cowdin, Int. No. 215, entitled "An act to provide for making the New York Infirmary for Women and Children the same allowances and payments for the care and maintenance of lying-in and nursing women as are now provided by law for the New York Infant Asylum," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Smith, Int. No. 364, entitled "An act to amend section 3 of chapter 443 of the Laws of 1876, entitled 'An act supplemental to the act entitled An act to revise the charter of the city of Syracuse, passed March 3, 1857, and the acts amendatory thereto,' passed June 2, 1876," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. J. G. Graham, from the committee on insurance, to which was referred the bill introduced by Mr. Marvin, Int. No. 79, entitled "An act to amend the charter of the Arctic Fire Insurance Company of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. J. G. Graham, from the committee on insurance, to which was referred the bill introduced by Mr. Fish, Int. No. 232, entitled "An act to amend an act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies, passed June 24, 1853," reported in favor of the passage of the same, which

report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on railroads, to which was referred the bill introduced by Mr. Coulter, Int. No. 154, entitled "An act in relation to the fare on the New York elevated railway in the city of New York," reported adversely thereto.

Mr. Coulter moved to lay said report on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Gilbert, from the committee on railroads, to which was referred the bill introduced by Mr. Hayes, Int. No. 82, entitled "An act to amend an act entitled 'An act changing the name of the Beach Pneumatic Transit Company to the Broadway Underground Railway Company, and extending its powers,' passed May 20, 1874," reported adversely thereto.

Mr. Hayes moved to disagree with the report of the committee, and that said bill be committed to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Gilbert, from the committee on railroads, to which was referred the bill introduced by Mr. Niven, Int. No. 153, entitled "An act to amend chapter 237 of the Laws of 1869, entitled 'An act to amend an act entitled An act to authorize the formation of railroad corporations and to regulate the same, passed April 2, 1850,' passed April 17, 1869," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Bowen, from the committee on internal affairs, to which was referred the bill introduced by Mr. Orr, Int. No. 177, entitled "An act to decrease the number of assessors in the town of Aurora, county of Erie, and to determine their terms of office," reported in favor of the passage of the same, with amendments, which report was agreed to.

On motion of Mr. Orr, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 78 {  
} NOES 00 {

Those who voted in the affirmative, were

Alvord	Fish	Longyear	H. H. Rockwell
Barnes	Flecke	Maher	W. L. Rockwell
Billings	Floyd-Jones	Maynard	Sager
Bissell	Galvin	McFalls	Santee
Bowen	Gere	McGraw	Shanley
Brick	Grady	McGroarty	Shannon
Brill	J. G. Graham	McKee	Sheldon
J. H. Brown	J. S. Graham	Moller	Skinner
Bulmer	Gulick	Moody	Sliter
E. Case	Hamilton	Neilson	Spicer
G. M. Case	Hammond	Niven	Stephenson
T. A. Case	Hayes	Noyes	Stone

Clapp	Healy	Orr	Snydam
Corbett	Herbst	Peck	Tabor
Corsa	Holahan	Piper	Thistlethwaite
Coulter	Humphrey	Post	Valentine
Cowdin	Husted	Potter	Webb
Cozans	Keator	Proper	Welsh
Curran	Langbein	Rice	Williams
Dimond	Langner		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

When the name of Mr. Purdy was called he asked to be, and was, excused from voting.

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Sheldon, Int. No. 129, entitled "An act to amend chapter 435 of the Laws of 1868, entitled 'An act to incorporate the village of Hamilton, in the county of Madison, and to repeal its present charter,' and to repeal chapter 250 of the Laws of 1870, and chapter 18 of the Laws of 1874, and chapter 142 of the Laws of 1875," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gallagher, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Barnes, Int. No. 142, entitled "An act to discontinue the Butternuts and Shurburne turnpike," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gallagher, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Welsh, Int. No. 115, entitled "An act to amend the Revised Statutes in relation to the laying out of public roads and the alteration thereof," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hepburn, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Morey, Int. No. 263, entitled "An act authorizing the supervisor and justices of the peace of the town of Avon, in the county of Livingston, to convey to the Avon Cemetery Association certain lands situate in the village of Avon," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Smith, from the committee on public education, to which was referred the bill introduced by Mr. Moller, Int. No. 221, entitled "An act to amend chapter 235, Laws of 1873, entitled 'An act to establish free schools in school district No. 4, in the town of East Chester, Westchester county,' passed June 8, 1853, and as amended by section 3 of chapter 235, passed April 17, 1873," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Smith, from the committee on public education, to which was referred the bill introduced by Mr. J. G. Graham, Int. No. 337, entitled "An act to amend chapter 156, Laws of 1852, entitled 'An act to amend an act entitled An act to provide for the establishment of free schools in the village of Newburgh,' passed April 6, 1852," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Smith, from the committee on public education, to which was

referred the Senate bill entitled "An act to amend chapter 125, Laws of 1874, entitled 'An act to provide for the establishment of a system of graded schools in the village of Ithaca,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Stein, Int. No. 315, entitled "An act to amend sections 6 and 29 of chapter 495 of the Laws of 1875, entitled 'An act relating to the Court of Arbitration of the Chamber of Commerce of the State of New York, and to provide for the expenses thereof,'" reported in favor of the passage of the same.

On motion of Mr. Husted, said report was laid on the table.

Mr. Barnes, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act relative to lands in the city of New York, devised by Charlotte E. Jenkins, late of said city, deceased, authorizing the mortgaging or sale thereof, and the disposition of the proceeds thereof in accordance with the provisions of the will of the said deceased, the same to be done under the direction of the Supreme Court."

"An act to change the name of the Rochester and Pine Creek Railroad Company to that of the Silver Lake Railway Company."

"An act to regulate voting in the Western New York Agricultural Society."

"An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction.'"

"An act in relation to the office of Superintendent of Public Works, defining the powers of the superintendent, and prescribing the mode of disbursements on account of the canals."

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Taylor, Int. No. 120, entitled "An act to confirm the title of Jane Sleeper in and to certain real estate in the town of Elba, in the county of Genesee," reported adversely thereto, which report was agreed to.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Floyd-Jones, Int. No. 271, entitled "An act to preserve the purity of elections," reported adversely thereto, which report was agreed to.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. J. G. Graham, Int. No. 66, entitled "An act to amend an act entitled 'An act to secure to creditors a just division of the estates of debtors who convey to assignees for the benefit of creditors,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the Senate bill entitled "An act extending to corporations located in and organized under the laws of other States, certain rights and powers now possessed by similar corporations of this State," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Corbett, from the committee on trade and manufactures, to which was referred the Senate bill entitled "An act to authorize the Utica Mechanics' Association to borrow money to pay its floating debt, and to issue bonds and execute a mortgage to secure the payment of the same,"

reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. J. S. Graham, Int. No. 277, entitled "An act to amend chapter 143 of the Laws of 1861, entitled 'An act to amend and consolidate the several acts in relation to the city of Rochester,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Fish, Int. No. 193, entitled "An act to amend chapter 742 of the Laws of 1871, entitled 'An act in relation to the storage and the keeping of combustible material in the city of New York, the use and control of the fire-alarm telegraph, the incumbrance of hydrants, and other purposes connected with the prevention and extinguishment of fires therein, and imposing certain powers and duties upon the board of fire commissioners of the said city,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. McGroarty, Int. No. 117, entitled "An act to enable the city of Brooklyn to raise means for the further improvement and sale of certain portions of Prospect park in said city," reported in favor of the passage of the same, with amendments; which report was agreed to, and said bill committed to the committee of the whole.

Mr. McFalls, from the committee on public health, to which was referred the bill introduced by Mr. Mitchell, Int. No. 16, entitled "An act to amend chapter 436, Laws of 1874, entitled 'An act to regulate the practice of medicine and surgery in the State of New York,'" reported in favor of the passage of the same, with amendments, the title amended so as to read "An act to amend chapter 436, Laws of 1874, entitled 'An act to regulate the practice of medicine and surgery in the State of New York,'" which report was agreed to, and said bill committed to the committee of the whole.

Mr. Suydam, from the committee on agriculture, to which was referred the bill introduced by Mr. Hodges, Int. No. 311, entitled "An act to prevent agricultural societies which offer premiums for trials of speed between horses, from receiving money appropriated to agricultural societies in this State," reported the same for the consideration of the House.

By unanimous consent,

Mr. Brill introduced a bill entitled "An act making appropriation for the relief of the Shinnecock tribe of Indians," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

By unanimous consent,

Mr. Fay introduced a bill entitled "An act to enable the Cayadutta Plankroad Company of Johnstown and Fulton counties, to extend its charter or corporate existence," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. McGroarty presented a petition in favor of a bill in relation to police department in the town of New Lots, in the county of Kings; which was committed to the committee of the whole.

Mr. Tabor presented a petition of Lumber Association of Tonawanda,

in reference to tolls on canals; which was read and referred to the committee on canals.

Mr. Hayes presented a petition of the Chamber of Commerce of the State of New York, in favor of a bill fixing rate of interest; which was read and referred to the committee on ways and means.

Mr. Moore presented three petitions for repeal of chapter 117 of the Laws of 1856; which were read and referred to the committee on railroads.

Mr. Stephenson presented a petition of trustees of Puritan church and others, of Brooklyn, asking for the repeal of the Queens county railroad acts; which was read and referred to the committee on railroads.

Also, a petition of E. H. Babcock and others, for speedy passage of a bill reducing official salaries in the city of Brooklyn; which was read and referred to the committee on affairs of cities.

Mr. Suydam presented a petition of William Slocum and others, for act to reduce municipal expenses in the city of Brooklyn; which was read and referred to the committee on affairs of cities.

Mr. Valentine presented a petition for repeal of law empowering people living on the line of plankroads to work their highway tax thereon; which was read and referred to the committee on roads and bridges.

Mr. Smith presented a petition of claimants and holders of certificates issued to soldiers, and widows and heirs of soldiers of the war of 1812, for the full payment and discharge of their claims; which was read and referred to the committee on ways and means.

Also, a petition of Onondaga Sportsmen's Club in favor of the passage of a bill for the preservation of fish in the waters of Onondaga, Oneida and Cross lakes; which was read and referred to the committee on game laws.

Mr. Corbett presented a petition of the citizens of Seventh ward, of Utica, for a division of said ward; which was read and referred to the committee on affairs of cities.

Also, a petition of taxpayers of Utica favoring a bill authorizing the mayor to appoint board of assessors; which was read and referred to the committee on affairs of cities.

Mr. J. S. Graham presented a remonstrance of citizens of Rochester against erection of a swing-bridge over the Erie canal at Allen street, in the city of Rochester; which was read and referred to the committee on canals.

Also, a remonstrance of members of the bar and citizens of Rochester against repeal of law creating municipal court in the city of Rochester; which was read and referred to the committee on affairs of cities.

Mr. Gere presented a remonstrance of attorneys of Owego against repeal of Code of Remedial Justice; which was read and referred to the committee on the judiciary.

Also, a petition of attorneys of Waverly for repeal of Code of Remedial Justice; which was read and referred to the committee on the judiciary.

Mr. Sheldon presented a petition of members of the bar of Madison county for the repeal of Code of Remedial Justice; which was read and referred to the committee on the judiciary.

Mr. Sliter presented a petition of citizens of Rensselaer county in reference to prison labor; which was read and referred to the committee on State prisons.

Mr. Strahan presented a petition of the mayor and other officers of the city of New York for passage of bill perpetuating supply of pure and wholesome water for that city; which was read and referred to the committee on affairs of cities.

Mr. Ruggles presented a petition for repeal of chapter 332 of the Laws of 1871; which was read and referred to the committee on the judiciary.

Mr. McKee presented a petition of board of supervisors of Herkimer county in relation to support of poor of said county; which was read and referred to the committee on internal affairs.

Mr. Filkin presented a petition of citizens of Rensselaer county, for repeal of usury laws; which was read and referred to the committee on ways and means.

Mr. Sager presented a petition for a law fixing six per cent as legal rate of interest on loans secured by real estate or mortgages thereon; which was read and referred to the committee on ways and means.

Mr. Rice presented a remonstrance of citizens of Lewis county, against repeal of civil damage law; which was read and referred to the committee on internal affairs.

Mr. Fish offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the committee on insurance of this House be authorized to procure from the officers of the Universal and North America Life Insurance Companies of the city of New York a statement, under oath, within ten days, the number of policies cancelled, and the consideration paid therefor to policyholders; also, the number of policies transferred to other companies, and what consideration was paid for such transfers; and also, the number of policies now standing against said insurance companies, and the amount of moneys now held by said companies in excess of that paid for transfer and cancellation.

Said resolution giving rise to debate,

*Ordered*, That the same be laid on the table.

By unanimous consent,

Mr. Tighe introduced a bill entitled "An act to repeal chapter 737 of the Laws of 1872, entitled 'An act to alter the commissioners' map of the city of Brooklyn,' passed May 15, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Suydam introduced a bill entitled "An act in relation to the rate of interest on taxes and assessments in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Marvin offered for the consideration of the House a resolution, in the words following:

*Resolved*, That when this House adjourns to-day, it adjourn to meet on Monday evening, at 8 o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. McKee called from the table a resolution previously offered by him in the words following:

*Whereas*, The small amount of revenue derived from the Erie canal renders it imperative for the maintenance and prosperity of the same that the strictest economy should be observed in the expenditures for

said canal, and that no needless expense or extravagance should be allowed by the proper authorities in keeping said canal in repair; and,

*Whereas*, It appears from official and other statements that large numbers of men were employed and immense sums of money were expended upon said canal during the months of October and November, 1876, at a time when said canal was in good repair and navigation unobstructed; therefore, be it

*Resolved*, That the Canal Commissioners be, and they are hereby, respectfully requested to report to this Assembly, within ten days from the adoption of this resolution:

1st. The total expenditures upon the Erie canal for each of the months of April, May, June, July, August, September, October and November, 1876; and also the number of days' labor performed upon said canal for each of said months separately, as appears upon the several superintendents' check rolls.

2d. What amount of said expenditures was paid in each of said months to lock tenders, watchmen and other regular employees, for the ordinary running of said canal.

3d. What amount of said total expenditures was paid in each of said months for extraordinary repairs upon said canal, and the reason for such expenditures.

4th. A specific statement of the amount of the "check roll" expenses of each superintendent upon said canal for each of said months separately.

5th. Whether the superintendents upon the several sections of said canal have complied with the requirements of the law in filing in the several county clerks' offices an abstract or report of their expenditures for the months of October and November, 1876, and the dates of such filing, and that the information hereinbefore called for shall include the several amounts of such abstracts or reports.

6th. If it appear by the statements herein called for, that much larger sums were expended upon said canal during the months of October or November than during any other of said months, then said commissioners are requested to state specifically the reasons for such extra expenditures, and whether the same was required for necessary repairs or maintenance of said canal, and the nature and character of the labor performed upon the canal for said months, and what permanent improvements, if any, were made during said months of October and November upon said canal.

Mr. Alvord moved to amend by striking out the words "Canal Commissioners" and inserting in lieu thereof the words "the Auditor of the Canal Department."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. H. H. Rockwell moved further to amend by striking out the words "ten days."

Mr. Purdy moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. H. H. Rockwell, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, as amended, and it was determined in the affirmative.



Mr. Fish offered for the consideration of the House a resolution, in the words following :

*Whereas*, The ordinary service expenses of this House are inordinately great ; therefore,

*Resolved*, That the committee on expenditures of the House be, and they are hereby directed to inquire into the expediency of reducing the said expenses.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Bradley called from the table a resolution previously offered by him, in the words following :

*Resolved*, That hereafter the daily sessions of this House shall commence at 10 o'clock A. M., and continue until 2 o'clock P. M., unless the regular business of the House be gone through with.

Mr. Bradley moved to amend by striking out "2," and inserting in lieu thereof "1.30."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the negative.

Mr. Morey offered for the consideration of the House a resolution, in the words following :

*Whereas*, By order of the House, the committee on privileges and elections have been allowed a stenographer to take testimony ; therefore,

*Resolved*, That Matthew W. Tanner be, and he hereby is, appointed stenographer, at a compensation of twenty-five cents per folio, for reporting and transcribing such testimony.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 80 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Curran	Hepburn	Piper
Baker	Dillmeier	Herbst	Post
Barnes	Dimond	Holahan	Purdy
Billings	Fay	Humphrey	H. H. Rockwell
Billington	Filkin	Husted	Sager
Bissell	Fish	Keator	Santee
Bowen	Flecke	Langbein	Shannon
Bradley	Floyd-Jones	Longyear	Sheldon
Brick	Gallagher	Lyon	Skinner
Brill	Galvin	Maher	Sliter
J. H. Brown	Gere	Marvin	Spicer
Bulmer	Gilbert	McFalls	Stephenson
G. M. Case	Grady	McGraw	Strydom
T. A. Case	J. G. Graham	McGroarty	Suadham
Clapp	J. S. Graham	Moller	Tabor
Corbett	Gulick	Moody	Tighe
Corsa	Hamilton	Morey	Waddell
Coulter	Hammond	Niven	Webb
Cowdin	Hayes	O'Hare	Wemple
Cozans	Healy	Peck	Wickes

Those who voted in the negative, were

E. Case                      Ruggles

Mr. J. S. Graham offered for the consideration of the House a resolution, in the words following :

*Resolved* (if the Senate concur), That the Governor be empowered to appoint a commission of twelve (six to be workmen and six employers of labor), who shall be selected from different parts of the State, whose duty it shall be to inquire into the condition of the working class of the State, their condition, number out of employment, and the cause thereof, the value of the purchasing power of the average wages paid as compared to 1861, the management of factories and the sanitary condition of the same, together with all facts pertaining to and bearing upon the subject; all of which shall be reported to the next Legislature, with such recommendations as the commissioners deem practicable. The commission to receive compensation for actual expenses.

Said resolution being concurrent,

*Ordered*, That the same be laid on the table.

By unanimous consent,

Mr. Hepburn, from the committee on charitable and religious societies, to which was referred the Senate bill entitled "An act in regard to the powers of the associate rector of St. Luke's Memorial Church in the city of Utica, county of Oneida, and State of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

The bill entitled "An act to provide for the completion of the courthouse in the third judicial district in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 78 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Filkin	Husted	Proper
Barnes	Fish	Keator	Purdy
Billings	Flecke	Langbein	H. H. Rockwell
Bissell	Floyd-Jones	Longyear	Ruggles
Bowen	Gallagher	Lyon	Sager
Bradley	Galvin	Maher	Sanders
Brick	Gere	Marvin	Santee
Brill	Gilbert	McFalls	Shanley
Bulmer	Grady	McGraw	Shannon
Burns	J. G. Graham	Mitchell	Skinner
E. Case	J. S. Graham	Moller	Sliter
G. M. Case	Gulick	Moody	Speaker
T. A. Case	Hamilton	Morey	Stephenson
Corbett	Hammond	Niven	Strahan
Corsa	Hayes	O'Hare	Suydam
Coulter	Hepburn	Peck	Webb
Cowdin	Herrick	Piper	Welsh
Curran	Herbst	Post	Wickes
Dillmeier	Holahan	Potter	Williams
Fay	Humphrey		

Those who voted in the negative, were

Spinola                      Tighe

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Alvord, at 12 o'clock and 50 minutes, the House adjourned.

## MONDAY, FEBRUARY 12, 1877.

The House met pursuant to adjournment.

Prayer by Rev. E. Coon.

The journal of Friday, February 9, was read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to release to Mary Rolph the right, title and interest of the State of New York in and to certain real estate in the town of Ridgeway, Orleans county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

"An act to amend chapter 431 of the Laws of 1876, entitled 'An act further to amend chapter 379 of the Laws of 1848, entitled An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 288 of the Laws of 1874, entitled 'An act to incorporate societies for the improvement of poultry, small birds, domestic animals and fish culture,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

"An act in relation to proceedings in the surrogate's court of the county of Erie, and to the powers and jurisdiction of the surrogate thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to legalize and confirm the official acts of Oliver G. Steele, Howard H. Baker and Edward L. Stevenson as real estate commissioners of the Young Men's Association of the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A message from the Senate was received and read, requesting the concurrence of the Assembly to resolutions in the words following:

*Resolved* (if the Assembly concur), That 1,000 copies of the annual report of the board of managers of the State Reformatory, at Elmira, be printed for the use of the managers of that institution.

*Resolved* (if the Assembly concur), That 5,000 extra copies of the report of the State Assessors be printed for distribution among the supervisors and assessors of the various towns, cities and villages of the State. Said copies shall be distributed by the Secretary of State, so that each supervisor and assessor aforesaid shall receive one copy of said report.

*Resolved* (if the Assembly concur), That 2,000 extra copies be printed

for the use of the Legislature, and 1,000 extra copies for the use of the State Assessors.

Said resolutions being concurrent,

*Ordered*, That the same be laid on the table.

A message from the Senate was received and read, informing of concurrence in the passage of the resolutions in the words following:

*Resolved* (if the Senate concur), That 300 copies of the report of the trustees of the New York State Asylum for Idiots be printed for the use of the trustees, provided the cost of printing the same does not exceed ten cents per page per 100 copies.

*Resolved* (if the Senate concur), That there be printed for the use of the Legislature 250 copies of the financial report and 250 copies of the expenditure report of the Auditor of the Canal Department for the fiscal year ending 30th September, 1876, and that 400 copies of the financial report and 100 copies of the expenditure report be printed for the use of the Auditor, provided the cost of printing the same does not exceed ten cents per page per 100 copies.

*Resolved* (if the Senate concur), That 300 copies of the report of the managers of the Hudson River State Hospital for the Insane be printed for the use of the managers of said hospital, provided that the expense of printing the same does not exceed ten cents per page per 100 copies.

*Resolved* (if the Senate concur), That 300 extra copies of the communication from the Secretary of the Board of Regents, inclosing a report on the subject of strengthening the position and enlarging the influence of the colleges of the State, be printed for the use of the Regents of the University, provided that the cost of printing the same does not exceed ten cents per page per 100 copies.

*Ordered*, That the Clerk deliver said resolutions to the printer.

Leave of absence was granted to Messrs. Case and Webb.

Mr. Shannon introduced a bill entitled "An act relating to Gowanda Union Free School District, composed of a part of the town of Collins, in Erie county, and parts of the towns of Persia and Perrysburgh, in Cattaraugus county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Hogeboom introduced a bill entitled "An act for the relief of George W. Phelps, and to authorize and require the board of supervisors of the county of Livingston to audit and allow the claim of George W. Phelps for reconstructing the abutment to a bridge over the Genesee river in Livingston county, and for other work and materials furnished in repairing said bridge and for levying a tax for the amount thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Gallagher introduced a bill entitled "An act giving justices of the peace, justices to police as well as police justices within the city of Buffalo, jurisdiction in all cases of cruelty to children or relating to or affecting children," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Morey introduced a bill entitled "An act to amend the statutes in reference to the collection of taxes in the different counties in this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Langbein introduced a bill entitled "An act to establish a tem-

porary parade ground in the city of New York for the use of the first division National Guard of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act for the relief of Isaac Piser, as interpreter of the fifth police court (ninth judicial district) in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Husted introduced a bill entitled "An act to amend chapter 458 of the Laws of 1875, entitled 'An act to amend chapter 807 of the Laws of 1873, entitled An act concerning notaries public in the counties of Kings, Queens, Richmond, Westchester and Rockland, and in the city and county of New York, and authorizing them to exercise the functions of their offices,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to amend chapter 395 of the Laws of 1873, entitled 'An act to alter the system of repairing the highways,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Neilson presented three petitions of tax-payers of the village of Ballston Spa, for the passage of a law to extend the bonded water debt of said village; which were read and referred to the committee on the judiciary.

Mr. Morey presented a petition of supervisors of Livingston county, for a law authorizing the county treasurer to sell lands for non-payment of taxes; which was read and referred to the committee on ways and means.

Also, a petition of board of supervisors of Livingston county, for repeal of laws creating a board of town auditors; which was read and referred to the committee on general laws.

Also, a petition for an amendment to the law assessing dogs; which was read and referred to the same committee.

Mr. Moore presented a petition for repeal of chapter 117 of the Laws of 1856; which was read and referred to the committee on railroads.

Mr. Fish offered for the consideration of the House a resolution, in the words following:

*Resolved*, That Assembly bill, No. 121, introduced by Mr. Cowdin, entitled "An act in relation to cleaning the streets of the city of New York," be recommitted to the committee on affairs of cities, for verbal amendments, with power to report back at any time, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Post offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the Clerk of the Assembly be and he is hereby instructed to purchase for the Assembly library, the following books: Four sets of Revised Statutes, sixth edition.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 65 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Curran	Langbein	Sanders
Baker	Dimond	Longyear	Santee
S. Baldwin	Fish	Maher	Shanley
M. L. Baldwin	Gallagher	Maynard	Shannon
Barnes	Gere	McFalls	Skinner
Bissell	Gilbert	Moller	Smith
Bowen	J. G. Graham	Moore	Speaker
Bradley	Gulick	Morey	Spicer
Brill	Hamilton	Neilson	Stephenson
J. S. Brown	Hammond	Peck	Stone
Burns	Hayes	Piper	Taylor
E. Case	Hepburn	Post	Thistlethwaite
T. A. Case	Herrick	Potter	Valentine
Childs	Hogeboom	Purdy	Welsh
Corbett	Holahan	W. L. Rockwell	Wickes
Corsa	Husted	Ruggles	Williams
Cozans			

For the negative,

Spinola

Mr. Purdy offered for the consideration of the House a resolution in the words following :

*Resolved*, That a respectful message be sent to the Senate requesting the return, for amendment, of Assembly bill No. 27, entitled "An act for the relief of James R. Davies, William P. Mitchell, Michael Cregan, Henry G. Leask, John E. McGowan, Robert G. McCord, Bernard C. Ryan, Frank Mangin and Whitfield Van Cott, as clerks and assistant clerks of the district courts in the city of New York."

Mr. J. S. Brown moved that said resolution be laid on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The order of business, "third reading of bills," being announced.

Mr. Bradley moved that said order of business be laid on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act in relation to running ferry boats by the Union Ferry Company of Brooklyn across the East River."

"An act to amend section 31 of article 3, of title 2 of chapter 13, of part 1 of the Revised Statutes, in relation to the equalization of assessments by boards of supervisors."

"An act to amend chapter 210 of the Laws of 1867, entitled 'An act to incorporate Washington Fire Engine Company No. 1, in the town of East Chester, county of Westchester,' passed March 30, 1867."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Suydam, from said committee, reported in favor of the passage of

said first and third mentioned bills; which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Suydam, from said committee, also reported progress on said second mentioned bill, and asked and obtained leave to sit again.

Mr. J. S. Brown moved that the House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend section 1 of chapter 638 of the Laws of 1867, entitled 'An act authorizing the New York Society for the Relief of the Ruptured and Crippled to hold real and personal estate.'"

"An act to confirm the title of certain lands conveyed to Josefa M. Mora, an alien."

"An act to amend the charter of the Lafayette Fire Insurance Company of Brooklyn."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Gilbert, from said committee, reported in favor of the passage of said first, second and third mentioned bills, the first and second mentioned bills, with amendments; which report was agreed to, and said bills ordered engrossed for a third reading.

On motion of Mr. Fish, at 9 o'clock and 40 minutes the House adjourned.

## TUESDAY, FEBRUARY 13, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Schlesinger.

The journal of yesterday was read and approved.

The Senate returned the bill entitled as follows:

"An act to amend the charter of the city of Syracuse."

*Ordered*, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act in relation to the compensation of overseer of the poor, town clerk and commissioner of highways in the town of Saugerties, Ulster county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

The Senate returned the bill entitled "An act to authorize the election of an additional justice of the peace in the town of Rossie, in the county of St. Lawrence," with a message informing that they had passed the same, with the following amendment:

Section 1, line 4 of engrossed bill, strike out the word "next," and insert in lieu thereof the words "eighteen hundred and seventy-seven."

Mr. McFalls moved to non-concur in the amendment made by the Senate to said bill, and that a committee of conference be appointed on the part of the Assembly, and request a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced as such committee, Messrs. McFalls, Bowen, Hammond, Nachtmann and Longyear.

The Senate returned the bill entitled "An act making an appropriation for the expenses and compensation of certain commissioners and their employes appointed under chapter 382 of the Laws of 1876," with a message informing that they had passed the same, with the following amendment:

Section 1, line 1, strike out the word "fifteen," and insert the word "ten."

The amendment having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 98 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dimond	Langner	Sager
Backenstose	Filkin	Longyear	Sanders
Baker	Fish	Lyon	Santee
S. Baldwin	Flecke	Maher	Shannon
M. L. Baldwin	Floyd-Jones	Marvin	Skillman
Barnes	Gallagher	Maynard	Skinner
Billings	Galvin	McFalls	Sliter
Bowen	Gere	McGroarty	Speaker
Bradley	Gilbert	Moller	Spicer
Brick	Grady	Moore	Stein
Brill	J. G. Graham	Morey	Stephenson
J. S. Brown	Gulick	Neilson	Stone
Bulmer	Hamilton	Niven	Strahan
Burns	Hammond	Noyes	Suydam
E. Case	Hayes	O'Hare	Tabor
T. A. Case	Healy	Orr	Taylor
Clark	Hepburn	Peck	Thistlethwaite
Corbett	Herrick	Piper	Tighe
Corsa	Hogeboom	Post	Valentine
Coulter	Holahan	Potter	Weiant
Cowdin	Humphrey	Proper	Welsh
Cozans	Husted	Purdy	Wickes
Crowley	Keator	Rice	Williams
Curran	King	Ruggles	Winch
Dillmeier	Langbein		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendment.

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows:

"An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages.'"

*Ordered*, That the Clerk deliver said bill to the Governor.

Pursuant to 9th joint rule, Mr. Speaker announced the order of business, "third reading of bills."



The bill entitled "An act to amend the charter of the Watertown Fire Insurance Company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curran	Langner	Ruggles
Backenstose	Dimond	Longyear	Sager
Baker	Filkin	Lyon	Sanders
S. Baldwin	Fish	Maher	Santee
M. L. Baldwin	Flecke	Maynard	Skillman
Barnes	Gallagher	McFalls	Skinner
Billings	Galvin	McGroarty	Sliter
Bowen	Gere	Moller	Speaker
Bradley	Gilbert	Moore	Spicer
Brick	Grady	Morey	Stein
Brill	J. G. Graham	Neilson	Stephenson
J. S. Brown	Gulick	Niven	Stone
Bulmer	Hamilton	Noyes	Suydam
Burns	Hammond	O'Hare	Tabor
T. A. Case	Healy	Orr	Thistlethwaite
Corbett	Hepburn	Peck	Valentine
Corsa	Hogeboom	Piper	Weiant
Coulter	Holahan	Post	Welsh
Cowdin	Keator	Purdy	Wickes
Cozans	King	Rice	Williams
Crowley	Langbein	W. L. Rockwell	Winch

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act making an appropriation for the payment of the salary and expenses of Ransom Balcom, one of the justices of the Supreme Court, for one year, ending December 31, 1877," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 94 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dillmeier	Longyear	Sanders
Backenstose	Dimond	Lyon	Santee
Baker	Filkin	Marvin	Shannon
S. Baldwin	Fish	Maynard	Skillman
M. L. Baldwin	Flecke	McFalls	Skinner
Barnes	Floyd-Jones	McGroarty	Sliter
Billings	Gallagher	Moller	Speaker
Bowen	Galvin	Moore	Spicer

Brick	Gilbert	Neilson	Stein
Brill	J. S. Graham	Niven	Stephenson
J. S. Brown	Gulick	Noyes	Stone
Bulmer	Hamilton	O'Hare	Strahan
Burns	Hammond	Orr	Suydam
E. Case	Hayes	Peck	Tabor
T. A. Case	Healy	Piper	Taylor
Childs	Hepburn	Post	Thistlethwaite
Clark	Herrick	Potter	Tighe
Corbett	Hogeboom	Proper	Valentine
Corsa	Holahan	Purdy	Weiant
Coulter	Humphrey	Rice	Welsh
Cowdin	King	W. L. Rockwell	Wickes
Cozans	Langbein	Ruggles	Williams
Crowley	Langner	Sager	Winch
Curran	Morey		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to bets, wagers and pools," being announced for a third reading,

Mr. Gallagher moved that said bill be recommitted to the committee on the judiciary, retaining it place on the order of third reading, with instructions to report back on Thursday next, to give parties a further hearing.

Mr. Gilbert moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" when

Mr. Purdy called for the ayes and noes on ordering the previous question, with the following result:

{ AYES 67 }  
{ NOES 22 }

Those who voted in the affirmative, were

Alvord	Fish	Marvin	Sanders
Backenstose	Flecke	Maynard	Santee
Baker	Gallagher	McFalls	Skillman
S. Baldwin	Gere	McGroarty	Skinner
M. L. Baldwin	Gilbert	Moller	Sliter
Barnes	J. S. Graham	Moore	Smith
Billings	Hammond	Morey	Spicer
Bowen	Hayes	Niven	Stephenson
Bradley	Herrick	Noyes	Stone
Brick	Hogeboom	O'Hare	Strahan
J. S. Brown	Holahan	Orr	Suydam
E. Case	Humphrey	Peck	Thistlethwaite
T. A. Case	King	Piper	Welsh
Corbett	Lang	Post	Wickes
Corsa	Langbein	Potter	Williams
Cowdin	Langner	Rice	Winch
Curran	Longyear	Ruggles	

Those who voted in the negative, were

Brill	Floyd-Jones	Nachtmann	Shanley
Bulmer	Galvin	Proper	Spinola

Burns  
Childs  
Coulter  
Crowley

Hamilton  
Healy  
Maher  
Mitchell

Purdy  
W. L. Rockwell  
Sager

Tabor  
Tighe  
Weiant

Mr. Speaker then announced the third reading of the bill.

Mr. Alvord raised the point of order that the question was upon the motion of Mr. Gallagher to recommit.

Mr. Speaker ruled the point of order not well taken, the previous question having been ordered the question now was upon the final passage of the bill.

Mr. J. S. Graham appealed from the decision of the chair.

Mr. Speaker said: The chair will state, in reference to his views upon this question, that he regards the main question to be upon the passage of the bill. While the Clerk was reading the bill, a motion was made to recommit the bill to the committee on the judiciary; but, according to the recollection of the chair, *without instructions*. The chair regards the motion to recommit as a privileged motion, but of a lesser grade than the motion for the previous question. It is a subsidiary motion, one of a class intended to help or to promote, in one way or another, according to the character of the motion, not the immediate passage of the bill, but its being carried forward for future action. This is not in the nature of the main question as the chair regards it, and for that reason, when the motion was made for the previous question, it was not made as applicable to the motion to recommit. The motion was made for the previous question. It thereby becomes necessary for the chair to decide what is the previous question? The chair understands it to be the main question. The previous question is, "Shall the main question be now put?"

The chair submits, is the main question the passage of the bill, or is it the motion to recommit, the latter being a subsidiary motion. If it is the motion to recommit, then the gentleman's appeal is correct; if it is the passage of the bill, then the chair is correct.

The chair will say that he did not understand any instructions to have been embodied in the motion to recommit. If he had understood that there were instructions, if the committee had been instructed to amend, then it would have come within the clear provision of the rule of the House, which provides that when the main question is ordered, it shall first be taken upon the pending amendment — specifically the pending amendment — but not upon any other subsidiary question, and then it extends to the main question. Now, the only doubt that the chair has in his own mind, in reference to the correctness of his ruling, is because of his not understanding that the gentleman from Erie (Mr. Gallagher), embodied any instructions in his motion. With that understanding of the motion, the chair believes that he was entirely correct; he believes he is in accord with the highest parliamentary authorities, but inasmuch as the journal of the House indicates that the motion to recommit was accompanied with instructions, which by a very liberal construction, may be interpreted as implying a possible amendment to the bill, and in deference to the practice of the Assembly in such cases, the chair will modify his ruling, and will rule that the question may be taken upon the motion to recommit. If that motion does not prevail, the previous question will still cohere, and will not be exhausted until the vote is taken upon the passage of the bill.

Mr. Speaker then stated the question to be upon the motion of Mr. Gallagher to recommit said bill.

Mr. Ruggles called for the ayes and noes on the motion of Mr. Gallagher, with the following result :

{ AYES 53 }  
{ NOES 51 }

Those who voted in the affirmative, were

Alvord	Dillmeier	Holahan	W. L. Rockwell
Bissell	Dimond	Husted	Sager
Bowen	Filkin	Langner	Shanley
Bradley	Floyd-Jones	Lyon	Shannon
Brick	Gallagher	Maher	Sliter
Brill	Galvin	McGroarty	Speaker
Bulmer	Grady	Mitchell	Spinola
Burns	J. S. Graham	Nachtmann	Stein
T. A. Case	Gulick	Neilson	Stone
Childs	Hamilton	Orr	Suydam
Coulter	Hammond	Piper	Tabor
Cozans	Healy	Potter	Tighe
Crowley	Herrick	Proper	Williams
Curran			

Those who voted in the negative, were

Backenstose	Gilbert	McFalls	Santee
Baker	J. G. Graham	Moller	Skillman
S. Baldwin	Hayes	Moore	Skinner
M. L. Baldwin	Hepburn	Morey	Smith
Barnes	Hogeboom	Niven	Spicer
Billings	Humphrey	Noyes	Strahan
J. H. Brown	Keator	O'Hare	Taylor
E. Case	King	Peck	Thistlethwaite
Corbett	Lang	Post	Weiant
Corsa	Langbein	Purdy	Welsh
Fish	Longyear	Rice	Wickes
Flecke	Marvin	Ruggles	Winch
Gere	Maynard	Sanders	

When the name of Mr. Husted was called he declined to vote, stating that he was not within the bar of the House when the question was stated.

Mr. Hogeboom moved that Mr. Husted be excused from voting.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

The bill entitled "An act to authorize the board of supervisors of the county of Columbia to provide for the payment of the principal of a portion of the bounty debt of said county, by issuing new bonds," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 77 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Curran	Longyear	Ruggles
Backenstose	Dillmeier	Lyon	Santee
Baker	Fish	Marvin	Shanley
S. Baldwin	Flecke	Maynard	Shannon
Barnes	Gallagher	McFalls	Skillman
Billings	Galvin	McGroarty	Skinner
Bissell	Gilbert	Mitchell	Sliter
Bowen	Grady	Moore	Smith
Bradley	J. S. Graham	Nachtmann	Spicer
Brick	Gulick	Neilson	Stein
Brill	Hamilton	Niven	Stone
J. S. Brown	Hammond	O'Hare	Suydam
Bulmer	Hepburn	Orr	Tabor
Burns	Hogeboom	Peck	Taylor
E. Case	Holahan	Post	Thistlethwaite
T. A. Case	Humphrey	Potter	Tighe
Childs	Keator	Proper	Welsh
Clark	Lang	Rice	Wickes
Corbett	Langbein	W. L. Rockwell	Winch
Cowdin			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the payment of certain moneys out of the State treasury to the heir at law of James Green, deceased," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dillmeier	Longyear	Santee
Backenstose	Dimond	Maynard	Shanley
Baker	Fish	McFalls	Shannon
S. Baldwin	Flecke	McGroarty	Skillman
Barnes	Floyd-Jones	Mitchell	Skinner
Billings	Galvin	Moore	Smith
Bissell	Gere	Morey	Spicer
Bowen	Gilbert	Nachtmann	Spinola
Bradley	Grady	Neilson	Stein
Brick	J. S. Graham	Niven	Stephenson
Brill	Gulick	Noyes	Stone
J. S. Brown	Hamilton	O'Hare	Strahan
Bulmer	Hammond	Orr	Suydam
Burns	Hepburn	Peck	Tabor
E. Case	Herrick	Piper	Taylor
T. A. Case	Hogeboom	Post	Thistlethwaite
Childs	Holahan	Purdy	Tighe

Clark	Humphrey	Rice	Weiant
Corbett	Husted	W. L. Rockwell	Welsh
Coulter	Keator	Ruggles	Wickes
Cowdin	King	Sager	Williams
Crowley	Langbein	Sanders	Winch
Curran			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act authorizing the trustees of the First Methodist Church and the Young's Society of Jamesville, Onondaga county, to convey certain real estate," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cowdin	Langbein	Sager
Backenstose	Cozans	Longyear	Sanders
Baker	Curran	Marvin	Santee
S. Baldwin	Dillmeier	Maynard	Shanley
Barnes	Dimond	McFalls	Skinner
Billings	Fish	McGroarty	Smith
Bissell	Flecke	Mitchell	Spicer
Bowen	Floyd-Jones	Moore	Spinola
Bradley	Galvin	Morey	Stein
Brick	Gilbert	Nachtmann	Stephenson
Brill	Grady	O'Hare	Stone
J. S. Brown	Gulick	Orr	Tabor
Bulmer	Hamilton	Peck	Taylor
Burns	Hammond	Post	Thistlethwaite
E. Case	Hayes	Potter	Tighe
T. A. Case	Hogeboom	Proper	Weiant
Clark	Holahan	Purdy	Welsh
Corbett	Humphrey	W. L. Rockwell	Williams
Corsa	Keator	Ruggles	Winch
Coulter	King		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The bill entitled "An act relative to lands in the city of New York, devised by Charlotte E. Jenkins, late of said city, deceased, authorizing the mortgaging or sale thereof, and the disposition of the proceeds thereof in accordance with the provisions of the will of the said deceased, the same to be done under the direction of the Supreme Court," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 91 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dillmeier	King	W. L. Rockwell
Backenstose	Dimond	Lang	Ruggles
Baker	Fish	Langbein	Sager
S. Baldwin	Flecke	Langner	Sanders
Barnes	Floyd-Jones	Longyear	Santee
Billings	Gallagher	Marvin	Shanley
Bissell	Galvin	Maynard	Shannon
Bowen	Gere	McFalls	Skillman
Brick	Gilbert	McGroarty	Skinner
Brill	Grady	Mitchell	Spicer
J. S. Brown	J. G. Graham	Moller	Spinola
Bulmer	J. S. Graham	Moore	Stephenson
Burns	Gulick	Morey	Suydam
E. Case	Hammond	Neilson	Taylor
T. A. Case	Hayes	Niven	Thistlethwaite
Childs	Healy	O'Hare	Tighe
Clark	Hepburn	Orr	Weiant
Corbett	Herrick	Peck	Welsh
Corsa	Hogeboom	Piper	Wemple
Coulter	Holahan	Post	Wickes
Cowdin	Humphrey	Potter	Williams
Crowley	Husted	Proper	Winch
Curran	Keator	Rice	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the office of Superintendent of Public Works, defining the powers of the superintendent and prescribing the mode of disbursements on account of the canals," being announced for a third reading,

Mr. Baker moved the previous question on the passage of said bill.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 99 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Dillmeier	Langbein	Sager
Backenstose	Dimond	Langner	Sanders
Baker	Filkin	Longyear	Santee
S. Baldwin	Fish	Maher	Shanley
Barnes	Floyd-Jones	Marvin	Shannon
Billings	Gallagher	Maynard	Skinner
Bissell	Galvin	McFalls	Sliter
Bowen	Gere	McGroarty	Smith
Bradley	Gilbert	Mitchell	Speaker

Brick	Grady	Moller	Spicer
Brill	J. G. Graham	Moore	Spinola
J. S. Brown	J. S. Graham	Morey	Stephenson
Bulmer	Gulick	Neilson	Stone
Burns	Hamilton	Niven	Strahan
E. Case	Hammond	Noyes	Suydam
T. A. Case	Hayes	O'Hare	Tabor
Childs	Hepburn	Orr	Taylor
Clark	Herrick	Peck	Thistlethwaite
Corbett	Hogeboom	Piper	Tighe
Corra	Holahan	Post	Weiant
Coulter	Humphrey	Potter	Welsh
Cowdin	Husted	Proper	Wickes
Cozans	Keator	Purdy	Williams
Crowley	King	W. L. Rockwell	Winch
Curran	Lang	Ruggles	

For the negative,

Healy

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to change the name of the Rochester and Pine Creek Railroad Company to that of the Silver Lake Railroad Company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 93 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dimond	Lang	Sanders
Backenstose	Filkin	Langbein	Santee
Baker	Fish	Langner	Shanley
S. Baldwin	Flecke	Longyear	Shannon
Barnes	Floyd-Jones	Lyon	Skillman
Billings	Gallagher	Maynard	Skinner
Bissell	Galvin	McFalls	Sliter
Bradley	Gere	McGroarty	Smith
Brick	Gilbert	Moller	Speaker
Brill	Grady	Moore	Spicer
J. S. Brown	J. G. Graham	Morey	Stein
Bulmer	J. S. Graham	Neilson	Stephenson
Burns	Gulick	Niven	Stone
E. Case	Hamilton	Noyes	Suydam
T. A. Case	Hammond	O'Hare	Tabor
Clark	Hepburn	Peck	Taylor
Corbett	Herrick	Piper	Thistlethwaite
Corra	Hogeboom	Post	Tighe
Coulter	Holahan	Potter	Weiant
Cowdin	Humphrey	Rice	Welsh
Cozans	Husted	W. L. Rockwell	Wickes



Crowley  
Curran  
Dillmeier

Keator  
King

Ruggles  
Sager

Williams  
Winch

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,'" being announced for a third reading,

On motion of Mr. Bowen, and by unanimous consent, said bill was amended as follows:

Strike out, in line 21, printed bill, the words "provided notices shall have been given as aforesaid," and insert in lieu thereof the words "except as hereinbefore provided."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES 8 }

Those who voted in the affirmative, were

Alvord	Curran	Husted	W. L. Rockwell
Backenstose	Dillmeier	King	Ruggles
Baker	Dimond	Lang	Sager
S. Baldwin	Filkin	Langbein	Sanders
Barnes	Fish	Langner	Santee
Billings	Flecke	Marvin	Shanley
Bowen	Floyd-Jones	McFalls	Shannon
Bradley	Gallagher	McGroarty	Skillman
Brick	Galvin	Moller	Skinner
Brill	Gere	Moore	Smith
J. S. Brown	Gilbert	Morey	Spicer
Bulmer	Grady	Neilson	Stephenson
Burns	J. G. Graham	Niven	Stone
E. Case	J. S. Graham	Noyes	Strahan
T. A. Case	Gulick	O'Hare	Suydam
Childs	Hamilton	Orr	Taylor
Clark	Hammond	Peck	Thistlethwaite
Corbett	Hayes	Piper	Tighe
Corsa	Herrick	Post	Weiant
Coulter	Hogebloom	Potter	Williams
Cowdin	Holahan	Rice	Winch
Cozans	Humphrey		

Those who voted in the negative, were

Bissell	Keator	Proper	Tabor
Hepburn	Maynard	Sliter	Wickes

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The order of business, "general orders," being announced,

The House resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend section 31 of article 3, of title 2 of chapter 13, of

part 1 of the Revised Statutes, in relation to the equalization of assessments by boards of supervisors."

"An act to amend section 55 of article 3, chapter 8 of part 2 of the Revised Statutes, entitled 'Of divorces dissolving the marriage contract.'"

"An act to provide for the appointment and to establish the fees of special surrogates."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Bradley, from said committee, reported progress on said first mentioned bill, and asked and obtained leave to sit again.

Mr. Bradley, from said committee, also reported in favor of the passage of said second and third mentioned bills, the second mentioned bill with amendments; which report was agreed to, and said bills ordered engrossed for a third reading.

By unanimous consent,

Mr. Husted introduced a bill entitled "An act making an appropriation for the payment of a portion of the general fund State debt," which was read the first time, and by unanimous consent was also read the second time, when

On motion of Mr. Husted, and by unanimous consent, said bill was ordered printed and committed to the committee of the whole.

By unanimous consent,

Mr. Gilbert introduced a bill entitled "An act to amend the Code of Remedial Justice," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Skillman, Int. No. 342, entitled "An act to amend chapter 171 of the Laws of 1857, entitled 'An act to amend an act entitled An act to revise, amend and consolidate the laws in relation to the village of Norwich, in the county of Chenango,' passed March 23, 1857, and other acts amendatory thereof," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Alvord moved to lay the order of business general orders on the table, and the time of this session be extended for the introduction of bills and reports of committees.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Sager introduced a bill entitled "An act to amend chapter 342 of Laws of 1850, entitled 'An act to authorize the president, directors and company of the New Baltimore and Rensselaerville turnpike road to sell and convey their present turnpike road,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Hogeboom introduced a bill entitled "An act to authorize the county of Columbia to borrow money and issue bonds therefor, to build a jail and for repairs of the court-house in said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Gallagher introduced a bill entitled "An act to amend the charter of the city of Buffalo, section 6 of title 9 of an act entitled 'An act to revise the charter of the city of Buffalo,' passed April 28, 1870," which

was read the first time, and by unanimous consent, was also read the second time, and referred to the committee on affairs of cities.

Mr. Humphrey introduced a bill entitled "An act to amend an act entitled 'An act to consolidate and amend the several acts relating to the village of Catskill,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Suydam introduced a bill entitled "An act to change the bulkhead and pier lines for Newtown creek, in the port of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Dillmeier introduced a bill entitled "An act for the extension of a certain highway in the city of Brooklyn, to and in the town of Newtown, Queens county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Morey introduced a bill entitled "An act to amend an act entitled 'An act to amend title 16, chapter 8, part 3 of the Revised Statutes, relative to proceedings for the draining of swamps, marshes and other low or wet lands,' passed May 12, 1869," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Coulter introduced a bill entitled "An act to amend chapter 617 of the Laws of 1873, for regulating the deposit of securities by plate-glass insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Dimond introduced a bill entitled "An act in relation to the payment of taxes in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Hayes introduced a bill entitled "An act authorizing police magistrates and other officers to take recognizances in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Cowdin introduced a bill entitled "An act in relation to local improvements in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Grady introduced a bill entitled "An act to facilitate the removal of ashes, garbage and street sweepings from the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Stein introduced a bill entitled "An act to provide for the dissolution of charitable and benevolent incorporations incorporated under the general laws of this State, and to effect the actual application of the funds and property thereof for the objects contemplated in the certificates of incorporation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Langbein introduced a bill entitled "An act further to amend chapter 388 of the Laws of 1875, entitled 'An act to amend an act entitled An act for the relief of the surviving members of the First Regiment of New York Volunteers, who served in the war with Mexico,'" which

was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. E. Case introduced a bill entitled "An act to amend section 23 of chapter 10 of the Laws of 1859, entitled 'An act to amend an act entitled An act to revise, amend and consolidate the several acts relating to the village of Whitesborough,' passed April 12, 1859," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, a petition on the same subject, which was read and referred to the same committee.

Mr. Alvord introduced a bill entitled "An act in relation to bets, wagers and pools," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Billings introduced a bill entitled "An act to authorize the construction of a swing bridge over the Erie canal in the village of Medina, Orleans county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Barnes introduced a bill entitled "An act to authorize the president and directors of the Charlotte Turnpike Company to abandon their road for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Lang introduced a bill entitled "An act to confirm the acts of the trustees of the Raynettsville Cemetery Association of North Potsdam, and to authorize the transfer of the remains of deceased persons buried in the grounds of such association, to other grounds, and to authorize the sale and conveyance of the grounds abandoned," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Husted introduced a bill entitled "An act to amend an act entitled 'An act to provide for the organization and regulation of certain business corporations,' passed June 21, 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Also, a bill entitled "An act to amend an act entitled 'An act to provide for the organization and regulation of certain business corporations,' passed June 21, 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

By unanimous consent,

Mr. Suydam presented a petition of 900 citizens of Brooklyn for extension of law regulating the practice of pharmacy and sale of poison in the city of Brooklyn; which was read and referred to the committee on public health.

Whereupon, at 2 o'clock and 5 minutes, the House adjourned.

WEDNESDAY, FEBRUARY 14, 1877.

The House met pursuant to adjournment.

Prayer by Rev. George C. Bancroft.

The journal of yesterday was read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act authorizing the board of trustees of the village of West Troy, to contract for a supply of water for public purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to authorize the building of an addition to the county jail at White Plains, in the county of Westchester, and the enlargement and improvement thereof, and to provide for the issuing of bonds for the purpose of paying the expense thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to amend section 4, title 5, chapter 20 of part 1 of the Revised Statutes, entitled 'Of disorderly persons,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act extending the time in which the Canandaigua, Palmyra and Ontario Railway Company shall expend ten per cent of its capital in the construction of its road, and in which to finish the same and put it in operation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to discontinue the Butternuts and Sherburne turnpike," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Barnes, and by unanimous consent, said bill was substituted for Assembly bill, general order No. 105, on the same subject.

"An act to amend chapter 235 of the Laws of 1873, entitled 'An act to amend an act entitled An act to establish free schools in district number four, in the town of East Chester, Westchester county, passed June 8, 1853,' which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Moller, and by unanimous consent, said bill was substituted for Assembly bill, printed No. 135, general order No. 108, on the same subject.

The Senate returned the bill entitled "An act to amend chapter 389 of the Laws of 1854, entitled 'An act to amend and consolidate the laws in relation to Amsterdam Village, in Montgomery county,'" with a message informing that they had passed the same, with the following amendments:

Section 1, strike out the word "section," second recurring in line 1, and insert the word "subdivision." Same line, after the words "twenty-three," insert the words "of section three." Line 7, strike out "§."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in

the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Galvin	McGroarty	Sheldon
Backenstose	Gere	McKee	Skillman
S. Baldwin	Gilbert	Mitchell	Skinner
M. L. Baldwin	Grady	Moller	Sliter
Barnes	J. G. Graham	Moody	Smith
Billings	Hamilton	Nachtmann	Speaker
Billington	Hammond	Neilson	Spicer
Bradley	Healey	O'Hare	Stein
J. H. Brown	Hepburn	Orr	Stephenson
J. S. Brown	Herrick	Peck	Strahan
T. A. Case	Herbst	Piper	Suydam
Childs	Holahan	Post	Taylor
Clark	Humphrey	Potter	Thistlethwaite
Corbett	Keator	Proper	Tighe
Crowley	King	Purdy	Waddell
Curran	Langbein	H. H. Rockwell	Webb
Dillmeier	Longyear	W. L. Rockwell	Weiant
Dimond	Lyon	Sager	Welsh
Fish	Maher	Sanders	Wemple
Flecke	Maynard	Santee	Williams
Floyd-Jones	McFalls	Shanley	Winch
Gallagher	McGraw	Shannon	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned the bill entitled "An act to establish the salaries of the county judge and the surrogate of Washington county," with a message informing that they had passed the same, with the following amendments:

Section 1, strike out the words "pursuant to the fifteenth section of the amended sixth article of the Constitution," in lines 1, 2 and 3.

Strike out all of section 2. Change section 3 to section 2.

Amend the title so as to read "An act to establish the salaries of the county judge and surrogate of Washington county."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Ecclesine	Lyon	Shannon
Backenstose	Fay	Maher	Sheldon

Baker	Fish	Maynard	Skillman
S. Baldwin	Flecke	McFalls	Skinner
M. L. Baldwin	Floyd-Jones	McGraw	Sliter
Barnes	Gallagher	McGroarty	Smith
Billings	Galvin	Mitchell	Speaker
Billington	Gere	Moody	Spicer
Bissell	Gilbert	Moore	Stein
J. H. Brown	Grady	Nachtmann	Stephenson
J. S. Brown	J. G. Graham	Neilson	Stone
Burns	J. S. Graham	O'Hare	Strahan
E. Case	Gulick	Orr	Suydam
T. A. Case	Hamilton	Piper	Taylor
Clapp	Hammond	Post	Thistlethwaite
Corbett	Hayes	Potter	Tighe
Corsa	Healy	Purdy	Valentine
Coulter	Herbst	H. H. Rockwell	Webb
Cozans	Holahan	W. L. Rockwell	Weiant
Crowley	Humphrey	Ruggles	Wemple
Curran	Keator	Sager	Wickes
Dillmeier	King	Santee	Williams
Dimond	Longyear	Shanley	Winch

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

A message from the Senate was received and read informing of concurrence in the passage of the bill entitled as follows:

"An act to enable the town of Duanesburgh, Schenectady county, to issue bonds to pay debts incurred under the provisions of chapter 64, Laws of 1856, and chapter 401, Laws of 1857."

*Ordered*, That the Clerk deliver said bill to the Governor.

The Senate returned the bill entitled as follows:

"An act making an appropriation for the expenses and compensation of certain commissioners and their employes appointed under chapter 382 of the Laws of 1876."

*Ordered*, That the Clerk deliver said bill to the Governor.

The privileges of the floor were granted to Hon. Sylvester Gridley.

Mr. H. H. Rockwell introduced a bill entitled "An act for the protection of game and fish in the counties of Chemung, Steuben and Tioga," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Mr. Maynard introduced a bill entitled "An act to authorize the formation of town insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Strahan introduced a bill entitled "An act relating to the redemption of lands sold under decrees of foreclosure in the counties of New York and Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Ecclesine introduced a bill entitled "An act to provide for obtaining and preserving evidence in relation to the title of lands, of which any person has died, or shall die seized and intestate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act further to amend chapter 379 of the Laws

of 1848, entitled 'An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act in relation to the assessments heretofore confirmed for regulating, grading, sewerage, curbing, guttering, paving, macadamizing and flagging Sixth and Seventh avenues and avenue St. Nicholas, north of the northerly line of the Central park in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act in relation to local improvements in the city of New York in, on or along any street or avenue of the width of 100 feet or upwards," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Healy introduced a bill entitled "An act to amend chapter 636 of the Laws of 1874, entitled 'An act relating to the board of health of the health department of the city of New York, the commissioners of health and the officers of the said department, their duties and powers and the expenses of the said department,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Stein introduced a bill entitled "An act to amend an act entitled 'An act to amend an act entitled An act supplementary to the act entitled An act to incorporate the Hebrew Benevolent Society of the city of New York, passed February 2, 1832, passed April 12, 1870, passed April 21, 1874,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Fish introduced a bill entitled "An act for the reduction of the salaries and compensation of certain officers and clerks in the cities of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Burns introduced a bill entitled "An act in relation to the compensation of executors, administrators and trustees," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. W. L. Baldwin introduced a bill entitled "An act in relation to the collection of taxes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Smith introduced a bill entitled "An act to provide for the collection of unpaid city taxes in the city of Syracuse," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Baker introduced a bill entitled "An act accepting the sovereignty and jurisdiction over a portion of the State of Vermont, ceded to the State of New York in the year 1876," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on federal relations.

Mr. Billings introduced a bill entitled "An act to amend an act to provide for taxing dogs and for the collection of such tax, and to create a



fund to pay for injuries upon sheep occasioned by dogs, passed April 15, 1862," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Hogeboom introduced a bill entitled "An act to amend chapter 451 of the Laws of 1874, entitled 'An act to amend the several acts in relation to State prisons,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Sager, Int. No. 341, entitled "An act to authorize the payment of certain moneys out of the State treasury to the heirs-at-law of Maria Brimmayer, deceased," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Hayes, Int. No. 312, entitled "An act relating to the operations of the United States Coast Survey in the State of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was recommitted the bill introduced by Mr. Husted, Int. No. 55, entitled "An act to provide for the completion of the census or enumeration of the inhabitants of this State," retaining its place on general orders, reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the Senate bill entitled "An act in relation to the Superintendent of State prisons," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Husted moved that said bill be made a special order for to-morrow morning, after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Marvin, Int. No. 226, entitled "An act to provide for the filing of security for the payment of damages and costs by the plaintiff in actions or proceedings against physicians, surgeons and dentists, for damages or punishment for malpractice," reported adversely thereto.

On motion of Mr. Marvin said bill was laid on the table.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Neilson, Int. No. 391, entitled "An act authorizing the trustees of Ballston Spa to issue bonds, to be known as extended water bonds, to pay a portion of the water bonds now outstanding of said village, maturing in the year 1877, and thereafter," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Hayes, Int. No. 14, entitled "An act to amend the charter of the New York Academy of Medicine," reported

in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Piper, Int. No. 377, entitled "An act to amend chapter 737 of the laws of 1873, entitled 'An act in relation to the creation and formation of water works' companies in towns and villages of New York,'" reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to amend chapter 408 of the Laws of 1870, entitled 'An act relating to the Supreme Court, and to the election of a judge of the Court of Common Pleas in and for the city and county of New York,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to amend chapter 426 of the Laws of 1868, entitled 'An act relative to the lands devised by Richard Ray, deceased,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to authorize the trustees, under the will of James Cunningham, to convey to the city of Brooklyn certain lands and hereditaments at the foot of Noble street, in said city," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to amend chapter 611 of the Laws of 1875, entitled 'An act to provide for the organization and regulation of certain business corporations,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the Senate bill entitled "An act in relation to the organization of certain business corporations," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to amend chapter 348 of the Laws of 1869, entitled 'An act to secure to creditors a just division of the estates of debtors who convey to assignees for the benefit of creditors, as amended by chapter 56 of the Laws of 1875,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Corbett, Int. No. 218, entitled "An act to create a board of assessors in and for the city of Utica," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Bradley, Int. No. 25, entitled "An act to enlarge the Ridgewood reservoir of the city of Brooklyn," reported in

favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Hamilton, Int. No. 250, entitled "An act to incorporate Rapid Hose Company No. 1 of the city of Kingston," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill entitled "An act to divide the Third and Seventh wards of the city of Utica, and to create the Eleventh and Twelfth wards therein," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

(Messrs. Mitchell, McGroarty and Tabor dissenting.)

Mr. Gilbert, from the committee on railroads, to which was referred the bill introduced by Mr. Herrick, Int. No. 278, entitled "An act to amend an act entitled 'An act to facilitate the construction of railroads and tram-roads within the counties of Essex and Clinton, and to authorize the formation of companies therefor,' and to extend the same to all counties of the State except the counties of New York and Kings," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. J. G. Graham, from the committee on insurance, to which was referred the bill introduced by Mr. Hayes, Int. No. 140, entitled "An act to amend the charter of the American Popular Life Insurance Company," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on public printing, to which was referred the resolution to print 3,000 copies of the Governor's message in German, reported adversely to the adoption of the following resolution:

*Resolved*, That the message of his excellency the Governor be translated into German, and that 2,000 copies thereof be printed for the use of this House and 1,000 copies for the use of the Governor.

Mr. Grady moved to disagree with the report of the committee.

Mr. Morey moved to lay the whole subject on the table.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Morey, and it was determined in the negative.

{ AYES 10 }  
{ NAYS 86 } :

Those who voted in the affirmative, were

Gilbert	Post	Strahan	Welsh
McKee	W. L. Rockwell	Thistlethwaite	Winch
Morey	Santee		

Those who voted in the negative, were

Alvord	Cowdin	Langbein	H. H. Rockwell
Backenstose	Cozans	Langner	Ruggles
Baker	Crowley	Longyear	Sager
S. Baldwin	Curran	Lyon	Sanders
M. L. Baldwin	Dillmeier	Maher	Shanley
Barnes	Dimond	Maynard	Shannon
Billings	Ecclesine	McFalls	Skinner

Billington	Fay	McGroarty	Sliter
Bissell	Fish	Moller	Speaker
Bradley	Flecke	Moody	Spicer
Brick	Floyd-Jones	Moore	Stein
Brill	Galvin	Nachtmann	Stephenson
J. H. Brown	Grady	Neilson	Stone
J. S. Brown	J. G. Graham	Niven	Suydam
Bulmer	J. S. Graham	O'Hare	Tabor
E. Case	Gulick	Orr	Taylor
T. A. Case	Hamilton	Peck	Tighe
Childs	Healy	Piper	Weiant
Clapp	Hogeboom	Potter	Wemple
Clark	Humphrey	Proper	Wickes
Corbett	Husted	Purdy	Williams
Corsa	King		

Mr. Fish moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Grady, and it was determined in the negative.

} AYES 48 }  
 } NOES 68 }

Those who voted in the affirmative, were

Bissell	Flecke	Lyon	H. H. Rockwell
Bradley	Floyd-Jones	Maher	W. L. Rockwell
Brill	Galvin	Maynard	Ruggles
J. H. Brown	Grady	McGroarty	Sager
Bulmer	Hamilton	Mitchell	Shanley
Burns	Healy	Nachtmann	Sliter
Childs	Herrick	Neilson	Spinola
Coulter	Herbst	O'Hare	Stein
Cozans	Holahan	Piper	Tabor
Crowley	Humphrey	Proper	Tighe
Dimond	Langner	Purdy	Weiant
Ecclesine	Longyear	Rice	Wemple

Those who voted in the negative, were

Alvord	Fay	McGraw	Skinner
Backenstose	Fish	McKee	Smith
Baker	Gallagher	Moller	Speaker
S. Baldwin	Gere	Moody	Spicer
Barnes	Gilbert	Moore	Stephenson
Billings	J. G. Graham	Morey	Stone
Billington	J. S. Graham	Niven	Strahan
J. S. Brown	Gulick	Noyes	Suydam
E. Case	Hammond	Orr	Taylor
T. A. Case	Hepburn	Peck	Thistlethwaite
Clapp	Hogeboom	Post	Valentine
Clark	Husted	Potter	Waddell
Corbett	Keator	Sanders	Webb
Corsa	King	Santee	Welsh

Cowdin  
Curran  
Dillmeier

Langbein  
Marvin  
McFalls

Shannon  
Sheldon  
Skillman

Wickes  
Williams  
Winch

Said report was then agreed to.

Mr. Clark, from the committee on petitions of aliens, to which was referred the bill introduced by Mr. Burns, Int. No. 88, entitled "An act to release the interest of the people of the State of New York in certain real estate in the city of Troy to Catharine Magennis," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Clark, from the committee on petitions of aliens, to which was referred the bill introduced by Mr. Corbett, Int. No. 339, entitled "An act to release to Mary Kinney the right, title and interest of the people of the State of New York in and to certain real estate in the city of Utica," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Clark, from the committee on petitions of aliens, to which was referred the bill introduced by Mr. Herrick, Int. No. 324, entitled "An act to release the interest of the people of the State of New York in certain real estate to Mary Jetton," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Clark, from the committee on petitions of aliens, to which was referred the bill introduced by Mr. Tighe, Int. No. 351, entitled "An act to release the interest of the people of the State of New York in certain real estate in the city of Brooklyn, county of Kings, to Ellen Allman," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Clark, from the committee on petitions of aliens, to which was referred the Senate bill entitled "An act to release to Mary Rolph the right, title and interest of the people of the State of New York in and to certain real estate in the town of Ridgeway, Orleans county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Wickes, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to provide for the revision of the laws relative to the administration of justice in the district courts of the city of New York."

"An act in relation to running ferry boats by the Union Ferry Company of Brooklyn across the East river.

"An act to amend chapter 210 of the Laws of 1867, entitled 'An act to incorporate Washington Fire Engine Company No. 1, in the town of East Chester, county of Westchester,' passed March 30, 1867."

"An act to amend section 1 of chapter 638 of the Laws of 1867, entitled 'An act authorizing the New York society for the relief of the ruptured and crippled to hold real and personal estate.'"

"An act to confirm the title of certain lands conveyed to Josefa M. Mora, an alien."

"An act to amend the charter of the Lafayette Fire Insurance Company of Brooklyn."

Mr. J. S. Brown, from the committee on game laws, to which was referred the bill introduced by Mr. J. S. Brown, Int. No. 89, entitled "An act to further amend chapter 781 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of

moose, wild deer, birds and fish," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Post presented a petition of citizens of the town of Brutus, Cayuga county, in favor of repeal of law authorizing persons living on the line of plank-roads to be assessed for their highway labor upon such plank-road; which was read and referred to the committee on roads and bridges.

Mr. Stephenson presented a petition of property owners on Lafayette avenue, Brooklyn, for repeal of Queens county railway; which was read and referred to the committee on railroads.

Mr. McKee presented a remonstrance of citizens of Herkimer county against the repeal of the civil damage act; which was read and referred to the committee on the judiciary.

Mr. Cowdin presented a petition of the faculty of Columbia college in relation to the State survey; which was read and referred to the committee on ways and means.

Mr. Bissell presented a petition of lumbermen's association of Tonawanda for reduction of canal tolls; which was read and referred to the committee on canals.

Mr. Stone presented a memorial from the trustees of the Central New York Institution for Deaf Mutes, at Rome, asking appropriation; which was read and referred to the committee on ways and means.

Mr. Winch presented a petition of board of supervisors of Ontario county for the repeal of the act of 1875 creating a new board of town auditors; which was read and referred to the committee on the judiciary.

Mr. Speaker presented a petition of citizens of Oswego favoring the passage of an act to protect fisheries in said county; which was read and referred to the committee on game laws.

Also, a petition requesting repeal of present usury laws; which was read and referred to the committee on ways and means.

Mr. Tabor presented a petition of citizens of Tonawanda, Erie county, asking for a modification of the usury laws; which was read and referred to the committee on ways and means.

Mr. McGroarty presented a remonstrance of citizens of New Lots against passage of bill annexing said town to the city of Brooklyn; which was read and referred to the committee on civil divisions.

Mr. Rice presented a remonstrance against the repeal of the civil damage act; which was read and referred to the committee on internal affairs.

Messrs. J. G. Graham and Barnes presented two petitions for repeal of Code of Remedial Justice; which was read and referred to the committee on the judiciary.

Mr. Barnes presented a petition in relation to the Charlotte turnpike; which was read and referred to the committee on roads and bridges.

Mr. Sliter presented a remonstrance of the faculty of the Rensselaer Polytechnic Institute against the repeal of the law providing for a topographical survey of the State; which was read and referred to the committee on ways and means.

Mr. Burns presented a petition of 2,000 citizens of Rensselaer county in regard to State prison labor; which was read and referred to the committee on State prisons.

Mr. Nachtmann moved to take from the table the adverse report of the committee on affairs of cities, in the words following:

"Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Nachtmann, Int. No. 101, entitled 'An act to amend chapter 590 of the Laws of 1872, entitled An act to regulate processions and parades in the State of New York, passed May 7, 1872,' reported adversely thereto.

"(Mr. Mitchell dissenting)."

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Nachtmann moved to disagree with the report of the committee on cities, and that said bill be committed to the committee of the whole.

Mr. Fish moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Nachtmann, and it was determined in the negative.

{ AYES 40 }  
{ NOES 63 }

Those who voted in the affirmative, were

Bissell	Dimond	Langner	Rice
Bradley	Ecclesine	Lyon	H. H. Rockwell
Brill	Flecke	Maher	Sager
J. S. Brown	Floyd-Jones	Maynard	Sanders
Bulmer	Gallagher	Mitchell	Shanley
Childs	Galvin	Nachtmann	Spinola
Coulter	Grady	O'Hare	Stein
Crowley	Healy	Piper	Tighe
Curran	Herrick	Proper	Weiant
Dillmeier	Holahan	Purdy	Wemple

Those who voted in the negative, were

Alvord	Filkin	Marvin	Smith
Backenstose	Fish	McFalls	Speaker
Baker	Gere	McGraw	Spicer
M. L. Baldwin	Gilbert	McKee	Stephenson
Barnes	J. G. Graham	Moody	Strahan
Billings	J. S. Graham	Moore	Suydam
Billington	Gulick	Morey	Taylor
J. H. Brown	Hammond	Peck	Thistlethwaite
E. Case	Hepburn	Post	Valentine
T. A. Case	Herbst	Potter	Waddell
Clapp	Hogeboom	W. L. Rockwell	Webb
Clark	Husted	Ruggles	Welsh
Corbett	Keator	Santee	Wickes
Corsa	King	Shannon	Williams
Cowdin	Lang	Sheldon	Winch
Fay	Langbein	Skinner	

Said report was then agreed to.

Mr. Stein moved to take from the table the report of the committee on ways and means, in the words following:

"Mr. Husted, from the committee on ways and means, to which was

referred the bill introduced by Mr. Stein, Int. No. 315, entitled 'An act to amend sections 6 and 29 of chapter 495 of the Laws of 1875, entitled An act relating to the Court of Arbitration of the Chamber of Commerce of the State of New York, and to provide for the expenses thereof,' reported in favor of the passage of the same.

"(Mr. Husted dissenting.)"

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Said report was then agreed to and said bill committed to the committee of the whole.

Mr. Strahan moved to take from the table the adverse report of the committee on the judiciary, in the words following:

"Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Sliter, Int. No. 320, entitled 'An act to amend chapter 398 of the Laws of 1876, entitled An act to provide for the election and compensation of coroners in the county of Rensselaer,' reported adversely thereto."

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Strahan moved to disagree with the report of the committee, and that said bill be recommitted to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Morey offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the committee on roads and bridges be discharged from the further consideration of the bill introduced by Mr. Hogeboom for the relief of Geo. W. Phelps, and that the same be referred to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Brill offered for the consideration of the House a resolution, in the words following:

*Resolved*, That Assembly bill, No. 142, entitled "An act to prevent agricultural societies, which offer premiums for trials of speed between horses, from receiving money appropriated to agricultural societies by this State," be recommitted to the committee on agriculture, retaining its place on general orders.

Mr. Alvord moved to lay said resolution on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Bradley presented a petition of taxpayers of the city of Brooklyn, favoring the passage of a bill reducing salaries and commissions; which was read and referred to the committee on ways and means.

Mr. Morey presented a report of the Trustees of Wadsworth Library for the year 1876; which was laid on the table and ordered printed.

(See Doc. No. 48.)

Mr. Speaker announced the order of business, "third reading of bills."

The bill entitled "An act in relation to running ferry boats by the Union Ferry Company of Brooklyn across the East river," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a



majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Filkin	McGraw	Santee
Backenstose	Fish	McGroarty	Shanley
Baker	Floyd-Jones	McKee	Shannon
S. Baldwin	Gallagher	Moller	Skillman
M. L. Baldwin	Galvin	Moody	Skinner
Barnes	Gilbert	Moore	Sliter
Billings	J. G. Graham	Morey	Spicer
Bissell	J. S. Graham	Niven	Stein
Bradley	Gulick	Noyes	Stephenson
Brick	Hamilton	O'Hare	Stone
Brill	Hammond	Peck	Suydam
T. A. Case	Herbst	Piper	Tabor
Clapp	Hogeboom	Post	Thistlethwaite
Clark	Holahan	Potter	Tighe
Corbett	Keator	Proper	Valentine
Corsa	King	Rice	Waddell
Coulter	Langbein	H. H. Rockwell	Weiant
Crowley	Longyear	W. L. Rockwell	Welsh
Curran	Maher	Ruggles	Wickes
Dillmeier	Marvin	Sager	Williams
Ecclesine	McFalls	Sanders	

For the negative,

Grady

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 1 of chapter 638 of the Laws of 1867, entitled 'An act authorizing the New York Society for the Relief of the Ruptured and Crippled to hold real and personal estate,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Gallagher	Maynard	Santee
Backenstose	Galvin	McFalls	Shanley
Baker	Gere	McGraw	Shannon
S. Baldwin	Gilbert	McKee	Sheldon
M. L. Baldwin	Grady	Mitchell	Skillman
Barnes	J. G. Graham	Moller	Skinner
Bissell	J. S. Graham	Moore	Sliter
Bradley	Gulick	Neilson	Speaker

Brick	Hammond	Niven	Spicer
T. A. Case	Herrick	Noyes	Stein
Clark	Herbst	O'Hare	Stephenson
Corbett	Holahan	Piper	Stone
Corsa	Husted	Post	Suydam
Coulter	Keator	Potter	Tabor
Crowley	King	Rice	Thistlethwaite
Curran	Langbein	H. H. Rockwell	Tighe
Dillmeier	Langner	W. L. Rockwell	Waddell
Ecclesine	Longyear	Ruggles	Webb
Fay	Maher	Sager	Weiant
Floyd-Jones	Marvin	Sanders	Wemple

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The privileges of the floor were granted to Hon. Rush C. Hawkins and Hon. John Nice.

The bill entitled "An act to provide for the revision of the laws relative to the administration of justice in the district courts of the city of New York," being announced for a third reading,

Mr. Strahan moved to recommit said bill to the committee on the judiciary, with instructions to amend said bill in the words following: Section 4, line 7, insert after the word "other," the word "two;" and to report back to the House forthwith.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Strahan, from the committee on the judiciary, reported back said bill amended, as instructed by the House.

Mr. Purdy moved to recommit said bill to the committee on the judiciary, with instructions to amend the same as follows: Section 6, line 2, strike out the words "other commissioners" and insert the word "Governor." In line 3, strike out the word "them" and insert the word "him," and to report back to the House forthwith.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Purdy then moved to recommit said bill to the committee on the judiciary, with instructions to amend the same as follows: Strike out the words "three thousand," in line 2, section 5, and insert in lieu thereof the words "fifteen hundred," and to report said bill back to the House forthwith.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

The hour of 2 o'clock having arrived, the House adjourned.

## THURSDAY, FEBRUARY 15, 1877.

The House met pursuant to adjournment.

No clergyman present.

The journal of yesterday was read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to amend chapter 610 of the Laws of 1874, entitled 'An act to authorize the sale of lands for the non-payment of taxes, and for the collection of unpaid taxes in the several towns of the county of Westchester,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act to amend chapter 144 of the Laws of 1872, entitled 'An act to amend the charter of the city of Albany, passed March 16, 1870, and the several acts amendatory thereof,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to authorize the city of Troy to refund a portion of its bonded debt, falling due in the fiscal years 1877 and 1878," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The Senate returned the bills entitled as follows:

"An act to establish the salaries of the county judge and surrogate of Washington county."

"An act to amend chapter 389 of the Laws of 1854, entitled 'An act to amend and consolidate the laws in relation to Amsterdam village, in Montgomery county.'"

*Ordered*, That the Clerk deliver said bills to the Governor.

A message from the Senate was received and read, requesting the concurrence of the Assembly to a resolution in the words following:

*Resolved* (if the Assembly concur), That the committees on affairs of cities of the Senate and Assembly be and they are hereby instructed to meet in joint session, and prepare and report to the two houses, within ten days, a bill for the reduction of expenses and offices in the several departments in the city of New York, with a view to securing greater economy and retrenchment in the administration of the affairs of that city.

On motion of Mr. O'Hare, and by unanimous consent, said resolution was adopted.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have passed the same.

Mr. Speaker presented the annual report of the State Engineer and Surveyor on the canals, for the fiscal year ending September 30, 1876; which was laid on the table and ordered printed.

(See Doc. No. 50.)

Mr. Bradley presented the annual report of the Brooklyn Institute for the year ending December 31, 1876; which was laid on the table and ordered printed.

(See Doc. No. 49.)

Mr. Husted, from the committee on ways and means, introduced a bill entitled "An act making appropriations for the support of government," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Husted moved that said bill be made a special order on Tuesday morning next, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Speaker announced the special order of the day to be the Senate bill entitled "An act in relation to the Superintendent of State Prisons."

The House then resolved itself into a committee of the whole on the bill entitled as follows:

Senate, "An act in relation to the Superintendent of State Prisons."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Ruggles, from said committee, reported in favor of the passage of the same, with amendments.

The question being on agreeing to said report,

Mr. Alvord moved to amend the report of the committee in the words following:

Section 1, line 1, between the word "prison" and the word "shall," insert the words "who shall hold no other official position, either State or local," the same having been offered in committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 28 }  
{ NOES 84 }

Those who voted in the affirmative, were

Alvord	Galvin	Lyon	Tabor
Backenstose	Gere	McFalls	Thistlethwaite
S. Baldwin	J. S. Graham	McGroarty	Tighe
Barnes	Hammond	McKee	Valentine
Billington	Hepburn	Morey	Waddell
Bulmer	Herbst	W. L. Rockwell	Welsh
Gallagher	Langbein	Shanley	Williams

Those who voted in the negative, were

Baker	Dimond	Maher	Sager
M. L. Baldwin	Ecclesine	Marvin	Sanders
Billings	Fay	Maynard	Santee
Bradley	Filkin	Mitchell	Shannon
Brick	Fish	Moller	Sheldon
Brill	Flecke	Moody	Skillman
J. H. Brown	Floyd-Jones	Moore	Skinner
J. S. Brown	Gilbert	Nachtmann	Sliter
Burns	Grady	Neilson	Smith
T. A. Case	J. G. Graham	Noyes	Speaker
Childs	Gulick	O'Hare	Spicer
Clapp	Hamilton	Orr	Spinola
Clark	Hayes	Peck	Stein
Corbett	Healy	Piper	Stephenson
Corsa	Herrick	Post	Stone

Coulter	Holahan	Potter	Suydam
Cowdin	Humphrey	Proper	Taylor
Cozans	Husted	Purdy	Webb
Crowley	King	Rice	Wemple
Davenport	Langner	H. H. Rockwell	Wickes
Dillmeier	Longyear	Ruggles	Winch

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Said bill was then ordered to a third reading.

On motion of Mr. Husted, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 102 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Filkin	Maher	Sager
Backenstose	Fish	Marvin	Sanders
Baker	Flecke	Maynard	Santee
S. Baldwin	Floyd-Jones	McFalls	Shanley
M. L. Baldwin	Gallagher	McGroarty	Shannon
Barnes	Galvin	McKee	Sheldon
Bradley	Gere	Mitchell	Skillman
Brick	Gilbert	Moller	Skinner
Brill	Grady	Moody	Sliter
J. H. Brown	J. G. Graham	Moore	Smith
J. S. Brown	J. S. Graham	Morey	Speaker
Bulmer	Gulick	Nachtmann	Spicer
Burns	Hamilton	Neilson	Spinola
T. A. Case	Hammond	Noyes	Stein
Childs	Hayes	O'Hare	Stephenson
Clapp	Healy	Orr	Stone
Clark	Hepburn	Peck	Suydam
Corbett	Herbst	Piper	Tabor
Corsa	Holahan	Post	Taylor
Cowdin	Humphrey	Potter	Thistlethwaite
Cozans	Husted	Proper	Valentine
Crowley	King	Rice	Webb
Davenport	Langbein	H. H. Rockwell	Welsh
Dillmeier	Langner	W. L. Rockwell	Wickes
Dimond	Longyear	Ruggles	Williams
Fay	Lyon		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same, with amendments.

On motion of Mr. J. G. Graham, and by unanimous consent, the bill entitled "An act to authorize the city of Newburgh, to borrow moneys and issue bonds therefor in payment of the enlargement and improvement of the water-works of said city," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 103 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Fay	Marvin	Shanley
Backenstose	Filkin	Maynard	Shannon
Baker	Fish	McFalls	Sheldon
S. Baldwin	Flecke	McGraw	Skillman
M. L. Baldwin	Floyd-Jones	McKee	Skinner
Barnes	Gallagher	Mitchell	Sliter
Bradley	Galvin	Moody	Smith
Brick	Gere	Moore	Speaker
Brill	Gilbert	Morey	Spicer
J. S. Brown	Grady	Nachtmann	Spinola
Bulmer	J. G. Graham	Neilson	Stein
Burns	J. S. Graham	Noyes	Stephenson
T. A. Case	Gulick	O'Hare	Stone
Childs	Hamilton	Orr	Suydam
Clapp	Hammond	Peck	Tabor
Clark	Hepburn	Piper	Taylor
Corbett	Herrick	Post	Thistlethwaite
Corsa	Herbst	Potter	Tighe
Coulter	Holahan	Proper	Valentine
Cowdin	Humphrey	Purdy	Webb
Cozans	Husted	Rice	Welsh
Crowley	King	W. L. Rockwell	Wemple
Davenport	Langbein	Ruggles	Wickes
Dillmeier	Longyear	Sager	Williams
Dimond	Lyon	Sanders	Winch
Ecclesine	Maher	Santee	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

This being the day assigned by the rules for the consideration of general orders,

Mr. Skillman offered in connection therewith a resolution, in the words following:

*Resolved*, That Assembly bill No. 144, entitled "An act to amend chapter 171 of the Laws of 1857, entitled 'An act to revise, amend and consolidate the Laws in relation to the village of Norwich, in the county of Chenango,' passed March 23, 1857, and other acts amendatory thereof," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to provide for the completion of the census or enumeration of the inhabitants of this State."

"An act to amend section thirty-one of article 3 of title 2, of chapter 13 of part 1 of the Revised Statutes, in relation to the equalization of assessments by boards of supervisors."

"An act to amend chapter 171 of the Laws of 1857, entitled 'An act to revise, amend and consolidate the laws in relation to the village of Norwich, in the county of Chenango,' passed March 23, 1857, and other acts amendatory thereof."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Gere, from said committee, reported progress on said first mentioned bill, and asked leave to sit again.

The question being on granting leave,

Mr. Husted moved to lay said report on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Husted moved to extend the time of the session of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Gere, from said committee, also reported progress on said second mentioned bill, and asked and obtained leave to sit again.

Mr. Gere, from said committee, also reported in favor of the passage of said third mentioned bill; which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Cozans offered for the consideration of the House resolutions, in the words following:

*Whereas*, A great sorrow has cast its shadow over the household of our colleague Mr. Strahan, of New York, in the death of his much esteemed wife, who departed this life in Albany this morning.

*Resolved*, That the House expresses its sincere regret at the great loss which our colleague has suffered, and extends to him its sincere sympathy in his sudden bereavement.

*Resolved*, That a copy of these resolutions be sent our colleague.

*Resolved*, That this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said resolutions, and it was determined in the affirmative.

Whereupon, at 1 o'clock and 50 minutes, the House adjourned.

## FRIDAY, FEBRUARY 16, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Reynolds.

The journal of yesterday was read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to repeal section 1 of chapter 14 of the Laws of 1877, entitled 'An act to provide for the incorporation of villages, passed December 7, 1847,' and the several acts amendatory thereof, so far as relates to the village of Corning, Steuben county," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Santee, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dillmeier	Longyear	Ruggles
Backenstose	Dimond	Lyon	Sager
Baker	Ecclesine	Marvin	Sanders
S. Baldwin	Fay	Maynard	Santee
Barnes	Flecke	McFalls	Shanley
Billington	Floyd-Jones	McGraw	Shannon
Bissell	Gallagher	McKee	Sheldon
Bowen	Galvin	Moore	Skillman
Bradley	Gere	Morey	Skinner
Brick	Gilbert	Nachtmann	Sliter
J. H. Brown	Gulick	Neilson	Speaker
G. M. Case	Hamilton	Niven	Spicer
T. A. Case	Hammond	Noyes	Stone
Clapp	Healy	O'Hare	Suydam
Clark	Hepburn	Orr	Tabor
Corbett	Herrick	Peck	Taylor
Corsa	Herbst	Piper	Thistlethwaite
Cozans	Humphrey	Post	Valentine
Crowley	King	Potter	Webb
Curran	Langbein	W. L. Rockwell	Williams
Davenport			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

"An act relating to the coroners of the city and county of New York, their duties and compensation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act relating to the office of commissioner of jurors in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Speaker presented the tenth annual report of the New York Institution for the Improved Instruction of Deaf Mutes; which was laid on the table and ordered printed.

(See Doc. No. .)

Mr. Bowen introduced a bill entitled "An act to incorporate the fire department of the village of Plattsburgh," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, a bill entitled "An act relating to the collection of taxes in the town of Plattsburgh, in the county of Clinton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Maynard introduced a bill entitled "An act to organize a fire department in the village of Andes, Delaware county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.



Mr. Lyon introduced a bill entitled "An act in relation to the government of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Suydam introduced a bill entitled "An act to amend an act entitled 'An act concerning pilots of the channel of the East river, commonly called Hell Gate,' passed April 15, 1847, and various acts amendatory thereof, passed March 12, 1860, March 14, 1865, April 16, 1868, and April 5, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Nachtmann introduced a bill entitled "An act to regulate the leasing or hiring of stands or stalls in the public markets of the cities of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Stein introduced a bill entitled "An act to provide for the payment of expenses incurred for the support and maintenance of persons confined in the county jail of the county of New York upon civil process," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a petition on the same subject, which was read and referred to the same committee.

Mr. Ecclesine introduced a bill entitled "An act to amend an act entitled 'An act further to provide for the construction and operation of a steam railway or railways in counties of the State,' passed June 18, 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Cowdin introduced a bill entitled "An act to further define the powers and duties of the mayor of the city of New York," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on affairs of cities.

Also, a bill entitled "An act further to amend chapter 106 of the Laws of 1865, entitled 'An act to incorporate the New York Infant Asylum,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Flecke introduced a bill entitled "An act to amend chapter 335 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to amend an act entitled 'An act further to amend chapter 379 of the Laws of 1848, entitled An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State,' passed May 26, 1876," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to prevent deception in the purchase of butter," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Langbein introduced a bill entitled "An act relating to assignments for the benefit of creditors," which was read the first time, and

by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. O'Hare introduced a bill entitled "An act to authorize railroad companies to charge and collect an excess of ten cents where fare is paid in cars," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Moore introduced a bill entitled "An act to repeal chapter 117, Laws of 1856, entitled 'An act to authorize the Black River and Utica Railroad Company to increase their rate of fare for the transportation of passengers, passed April 7, 1856,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Alvord introduced a bill entitled "An act to amend part 1, title 5, chapter 5, section 7 of the Revised Statutes, in relation to the appointment of collectors of canal tolls," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Davenport introduced a bill entitled "An act to establish the compensation of the county judge and surrogate of Otsego county, pursuant to the fifteenth section of the amended sixth article of the Constitution," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Floyd-Jones introduced a bill entitled "An act further to amend an act passed April 14, 1852, entitled 'An act further to amend the act entitled An act authorizing the incorporation of rural cemetery associations, passed April 27, 1847,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Brick introduced a bill entitled "An act to provide for the assessment of real and personal property in the county of Richmond," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Hamilton introduced a bill entitled "An act in relation to primary elections in cities," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Potter introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the village of Cambridge,' passed April 16, 1866, and amended April 10, 1867, and April 22 and May 9, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Baker introduced a bill entitled "An act to grant exemptions from taxation for a limited period to water companies in the village of Whitehall, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Clark introduced a bill entitled "An act to authorize the trustees of the corporation of the village of Portageville, county of Wyoming, to cause an assessment to be made of the taxable property of said corporation, and to be levied and collected a tax sufficient to pay the indebtedness of said corporation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Tighe introduced a bill entitled "An act relating to assessments

for repairing and repaving between railroad tracks in any town or city in this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. McGroarty introduced a bill entitled "An act to amend chapter 861 of the Laws of 1869, entitled 'An act to lay out and improve a public highway or avenue from Prospect Park, in the city of Brooklyn, toward Coney Island, in the county of Kings, as amended by chapter 726 of the Laws of 1872,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Langbein, Int. No. 419, entitled "An act further to amend chapter 338 of the Laws of 1875, entitled 'An act to amend an act entitled An act for the relief of the surviving members of the First Regiment of New York Volunteers, who served in the war with Mexico,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Cozans, Int. No. 185, entitled "An act to authorize the clerk of the surrogate's court of the county of New York, to sign any of the records of the said court, to sign and issue any order to show cause where no injunction or stay of proceedings is granted thereby," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Tighe, Int. No. 21, entitled "An act to amend chapter 439 of the Laws of 1876, entitled 'An act relating to the expenses of judicial sales in the county of Kings,' passed June 2, 1876," reported adversely thereto, which report was agreed to.

Mr. Strahan, from the committee on the judiciary, to which was recommended the bill, Int. No. 223, entitled "An act in relation to bets, wagers and pools" (retaining its place on the order of "third reading of bills"), reported in favor of the passage of the same.

On motion of Mr. Piper, and by unanimous consent, said report was laid on the table.

Mr. Hogeboom, from the committee on general laws, to which was referred the bill introduced by Mr. T. A. Case, Int. No. 258, entitled "An act to incorporate the Grand Lodge of the Ancient Order of United Workmen of the State of New York," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Alvord, from the committee on canals, to which was referred the bill introduced by Mr. Alvord, Int. No. 245, entitled "An act to abolish the office of Auditor of the Canal Department," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

(Messrs. Baker, Spinola and Bissell dissented.)

Mr. Baker, from the committee on canals, introduced a bill entitled "An act making an appropriation to pay certain awards made by the Canal Appraisers and to pay counsel employed in behalf of the State,"

which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Baker, from the committee on canals, introduced a bill entitled "An act re-appropriating money for the reconstruction of the Oneida Lake canal," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Fish, Int. No. 192, entitled "An act to secure better public administration within the city and county of New York," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Smith, Int. No. 446, entitled "An act to provide for the collection of unpaid city taxes in the city of Syracuse," reported in favor of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, introduced a bill entitled "An act in relation to the salaries of the officers of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Langbein, Int. No. 92, entitled "An act in relation to the salaries of officers and persons paid from the treasury of the city of New York," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Bradley, Int. No. 26, entitled "An act in relation to the government of the city of Brooklyn," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

(Messrs. McGroarty, Mitchell and Tabor dissented.)

Mr. Fish, from the committee on affairs of cities, introduced a bill entitled "An act in relation to the government of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

(Messrs. McGroarty and Mitchell dissented.)

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. O'Hare, Int. No. 167, entitled "An act to authorize a recovery at law for certain printing done for, and stationery furnished to the board of aldermen and assistant aldermen in the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on railroads, to which was referred the bill introduced by Mr. Gallagher, Int. No. , entitled "An act repealing an act entitled 'An act relating to fares for carrying passengers on street railroads in the city of Buffalo,' " reported in favor of the passage of the same, with amendments, the title amended so as to read: "An act repealing chapter 600 of the Laws of 1875, entitled 'An act relating to fares for carrying passengers on street railroads in the city of Buffalo,' passed June 18, 1875," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Webb, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Clapp, Int. No. 287, entitled "An act to amend an act entitled 'An act establishing a ferry from Barber's Point, in the town of Westport, in the county of Essex, across Lake Champlain, and to repeal chapter 495 of the Laws of 1871, passed May 1, 1872,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. McKee, from the committee on banks, to which was referred the bill introduced by Mr. Stephenson, Int. No. 124, entitled "An act extending the time for the organization of the New York Loan and Security Company," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Moller, Int. No. 347, entitled "An act to incorporate the Library and Reading Room of the village of Port Chester, in Westchester county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gallagher, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Skillman, Int. No. 317, entitled "An act to amend chapter 791, Laws of 1868, and chapter 461, Laws of 1870, entitled 'An act to amend section 50 of article 3, title 1 of chapter 16 of the first part of the Revised Statutes, in relation to highways,' amended by chapter 791, Laws of 1868, and by chapter 461, of the Laws of 1870," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on public printing, to which was referred the resolution to print extra copies of the Adjutant-General's report, reported in favor of the passage of the following resolution:

*Resolved* (if the Senate concur), That 1,000 copies of the Adjutant-General's report be printed and bound in cloth, for the use of the Adjutant-General's department, provided that the cost of printing thereof shall not exceed ten cents per page per one hundred copies.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 70 }  
} NOES 27 }

Those who voted in the affirmative, were

Alvord	Curran	Longyear	W. L. Rockwell
Backenstose	Davenport	Lyon	Sanders
Baker	Dimond	Marvin	Santee
S. Baldwin	Ecclesine	McFalls	Shanley
M. L. Baldwin	Fay	McGraw	Shannon
Barnes	Filkin	McGroarty	Skillman
Bowen	Floyd-Jones	McKee	Skinner
Bradley	Gallagher	Moore	Speaker
Brick	Galvin	Morey	Spicer
Brill	Gere	Niven	Stephenson
J. H. Brown	Gilbert	O'Hare	Suydam
Bulmer	J. G. Graham	Orr	Taylor

G. M. Case	Hamilton	Peck	Thistlethwaite
T. A. Case	Hepburn	Piper	Valentine
Clapp	Husted	Post	Webb
Corsa	King	Potter	Wickes
Coulter	Lang	H. H. Rockwell	Williams
Crowley	Langbein		

Those who voted in the negative, were

Bissell	Hammond	Mitchell	Smith
J. S. Brown	Healy	Moller	Spinola
Childs	Herrick	Nachtmann	Stein
Fish	Herbst	Purdy	Stone
Flecke	Langner	Sager	Tighe
J. S. Graham	Maher	Sheldon	Winch
Gulick	Maynard	Sliter	

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Skinner, from the committee on public printing, to which was referred the resolution to print extra copies of the report of the State Homœopathic Asylum for the Insane at Middletown, reported in favor of the adoption of the following resolution:

*Resolved* (if the Senate concur), That 1,000 extra copies of the report of the State Homœopathic Asylum for the Insane at Middletown, be printed for the use of the trustees of the asylum, and five hundred for the use of the Legislature, provided that the cost thereof shall not exceed ten cents per page per one hundred copies.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the negative.

{ AYES 54 }  
{ NOES 29 }

Those who voted in the affirmative, were

Alvord	Davenport	Marvin	Santee
Baker	Ecclesine	McKee	Shannon
S. Baldwin	Floyd-Jones	Moore	Skinner
M. L. Baldwin	Gallagher	Morey	Speaker
Barnes	Galvin	Neilson	Spicer
Bowen	Gilbert	Noyes	Stephenson
Bulmer	J. G. Graham	O'Hare	Suydam
G. M. Case	Gulick	Orr	Taylor
T. A. Case	Hammond	Peck	Thistlethwaite
Clapp	Hepburn	Post	Valentine
Corbett	Herrick	Potter	Wickes
Coulter	King	H. H. Rockwell	Williams
Cowdin	Lang	Sanders	Winch
Curran	Langbein		

Those who voted in the negative, were

Bradley	J. S. Graham	Maynard	W. L. Rockwell
Brill	Hamilton	Moller	Sager
J. H. Brown	Healy	Nachtmann	Sheldon
J. S. Brown	Herbst	Niven	Spinola
Childs	Humphrey	Piper	Stein

Crowley  
Dillmeier  
Fish

Husted  
Maher

Proper  
Purdy

Stone  
Tighe

Mr. Husted moved to reconsider the vote by which said report was disagreed to, and that that motion lay on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Skinner, from the committee on public printing, to which was referred the resolution to print extra copies of the annual report of the Superintendent of the Onondaga Salt Springs, reported in favor of the adoption of the following resolution:

*Resolved* (if the Senate concur), That there be printed 500 extra copies of the annual report of the Superintendent of the Onondaga Salt Springs, for the use of the superintendent, provided that the cost thereof shall not exceed ten cents per page per one hundred copies.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 78 }  
{ NOES 20 }

Those who voted in the affirmative, were

Alvord	Davenport	Langbein	H. H. Rockwell
Backenstose	Dimond	Longyear	W. L. Rockwell
Baker	Ecclesine	Marvin	Sanders
S. Baldwin	Fay	Maynard	Santee
M. L. Baldwin	Filkin	McFalls	Shanley
Barnes	Fish	McGraw	Skillman
Billington	Floyd-Jones	McGroarty	Skinner
Bissell	Gallagher	McKee	Smith
Bowen	Galvin	Moore	Speaker
Bradley	Gere	Morey	Spicer
Bulmer	J. G. Graham	Neilson	Stephenson
G. M. Case	Gulick	Niven	Stone
T. A. Case	Hamilton	Noyes	Suydam
Clapp	Hepburn	O'Hare	Thistlethwaite
Clark	Herrick	Orr	Tighe
Corbett	Herbst	Peck	Valentine
Corsa	Humphrey	Piper	Webb
Coulter	Husted	Post	Williams
Cowdin	King	Potter	Winch
Curran	Lang		

Those who voted in the negative, were

J. H. Brown	Dillmeier	Mitchell	Sager
J. S. Brown	Flecke	Moller	Sheldon
Childs	J. S. Graham	Nachtmann	Sliter
Cozans	Healy	Proper	Spinola
Crowley	Maher	Ruggles	Stein

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. McFalls, from the committee on public health, to which was referred the bill introduced by Mr. O'Hare, Int. No. 192, entitled "An act for the better protection of human life on railways, steam vessels and shipping, and in the cities of this State," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hepburn, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Humphrey, Int. No. 210, entitled "An act to amend chapter 402 of the Laws of 1868, entitled 'An act to authorize the trustees of incorporated rural cemeteries to impose a tax upon the lot owners in said cemeteries,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hepburn, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Marvin, Int. No. 40, entitled "An act to repeal chapter 330 of the Laws of 1846, entitled 'An act to amend an act to incorporate the Trustees and Associates of the Brooklyn Benevolent Society,' passed May 13, 1846," reported in favor of the passage of the same.

(Mr. Maher dissenting.)

The question being on agreeing to said report,

Mr. Shanley moved to disagree with the report of the committee on charitable and religious societies on Assembly bill (not printed) entitled "An act to repeal chapter 330 of the Laws of 1846, entitled 'An act to incorporate the Trustees and Associates of the Brooklyn Benevolent Society,' passed May 13, 1846," and that said bill be referred to the committee on ways and means.

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Shanley, and it was determined in the negative.

Said report was then agreed to, and said bill committed to the committee of the whole.

Mr. Peck, from the committee on public education, to which was referred the bill introduced by Mr. Herrick, Int. No. 169, entitled "An act to amend chapter 329 of the Laws of 1871, being an act to amend chapter 800 of the Session Laws of 1866, relative to the taking of lands for the erection of school-houses, or making additions thereto," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Peck, from the committee on public education, to which was referred the bill introduced by Mr. Moller, Int. No. 323, entitled "An act to amend section 7 of title 9 of chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,' passed May 2, 1864," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gere, from the committee on militia, to which was referred the bill introduced by Mr. Hayes, Int. No. 393, entitled "An act to incorporate the Veteran Guards of the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Morey, from the committee on privileges and elections, to which



was referred the petition of Waters W. Braman, contesting the seat of Edward Curran, a Member of Assembly of Albany county, made the following report:

*To the Assembly:*

The committee on privileges and elections, to which was referred the following memorial of Waters W. Braman contestant, Fourth Assembly district, Albany county:

"The petition of Waters W. Braman, of West Troy, New York, respectfully represents:

That at the last general election, held on the 7th day of November, 1876, your petitioner was duly elected a member of the House of Assembly from the Fourth district in the county of Albany; that by reason of a gross fraud perpetrated by two of the inspectors of election in the eastern district of the Ninth ward of the city of Albany, the petitioner has been deprived of his right to occupy his seat, in the Assembly, at the opening of this session.

The fraud consisted in a fraudulent altering of the result of the canvass in said district, after such canvass had been completed, and the statement thereof made out and signed by the inspectors, supervisors and witnesses, and the dispersing of the parties lawfully present at such canvass; that such alteration changed the result of the election in said Assembly district, and alone prevented the board of county canvassers from certifying to the election of the petitioner; that the said inspectors of election, committing the said fraud, are now under indictment for the same and awaiting trial; that the vote received by Edward Curran and the petitioner respectively, in said district, outside of said eastern district of the Ninth ward of the city of Albany, as declared by the court of county canvassers, was as follows, to wit: That of Edward Curran, the sitting member for said district was 4,261, that of the petitioner 4,420, giving the petitioner a majority of 159, exclusive of said eastern district of the Ninth ward; that the actual and true canvass of the votes in said eastern district of the Ninth ward of the city of Albany, was as follows:

For the petitioner.....	183
For Edward Curran.....	336

Majority for Curran.....	153
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The spurious and fraudulent returns shows:

For the petitioner.....	153
For Edward Curran.....	366

Apparent majority, eastern district of the Ninth ward, for Curran .....	213
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Showing that thirty votes were taken from the petitioner's vote and given to Mr. Curran, in the said election district, sufficient to change the result in the Assembly district. The said Edward Curran claims his seat as such member, and has taken the oath of office therefor. Your petitioner therefor prays that this House will declare and determine that your petitioner was elected, and is entitled to his seat as a member thereof, and to all his privileges and rights as such member, and that all such

proceedings may be had without delay as may be necessary in the premises and is usual in such cases.

And your petitioner will ever pray.

(Signed)

WATERS W. BRAMAN.

ALBANY, N. Y., *January 2, 1877.*"

Respectfully report that pursuant to a resolution of this House, the committee met on the 17th day of January, 1877, at the State Library, in the city of Albany, and having adjourned from time to time, have proceeded by a sub-committee of Messrs. Morey, Backenstose and Rockwell to take the testimony accompanying and submitted with this report. It is conceded that the vote in the Assembly district, and as shown by the county canvassers, exclusive of the eastern district of the Ninth ward of the city of Albany, was:

For the contestant (Braman).....	4,420
For the sitting member (Curran).....	4,261

In relation to the said Eastern District of the Ninth ward of the city of Albany, it is claimed by the contestant that the canvass of the ballots in that district, on the evening of election, as then made and announced, was:

For the contestant.....	183
For the sitting member.....	336

And that the certificate of canvass made at that time so showed. That between the canvass and the filing of the certificate with the clerk of the county of Albany, Thursday after election day, the said certificate was altered by substituting for the original middle sheet (there being three sheets in the certificate) a new sheet, showing a forged and fraudulent result in Member of Assembly, by taking thirty votes from the contestant and giving them to the sitting member, thus showing:

For the contestant.....	153
For the sitting member.....	366

The evidence of all the parties present at the canvass of the result after the closing of the polls at the said eastern district of the Ninth ward, shows that the canvass proceeded without disagreement or question; no dispute over the result announced on Member of Assembly, which was:

Curran .....	336
Braman.....	183

As a conclusion of fact, your committee find that the vote received in the eastern district of the Ninth ward of the city of Albany, at the late election, was 183 for the contestant and 336 for the sitting member, and not as shown by the certificate, which, in their opinion, was fraudulently altered between the time of its completion on the night of election and its filing with the county clerk, by taking thirty votes from the number belonging to the contestant and accrediting the same to the number given the sitting member, now making, as appears by certificates filed in the clerk's office:

For Curran .....	4,627
For Braman .....	4,573

Curran's majority.....	54
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When in fact the original certificates showed :

For Braman.....	4,603
For Curran .....	4,597
Braman's majority.....	<u>6</u>

Such being the fact, it is clearly evident that but for such fraudulent alterations Mr. Braman would have received the certificate of election from the board of county canvassers, and, in accordance with this judgment, recommend the adoption of the following resolution :

*Resolved*, That Waters W. Braman is entitled to and is hereby awarded the seat now held by Edward Curran, as Member of Assembly for the Fourth Assembly district of the county of Albany, and that the said Edward Curran be at liberty to contest the seat if he shall desire or be so advised.

J. B. MOREY,  
JAMES W. HUSTED,  
D. B. BACKENSTOSE,  
SIMEON R. BARNES.

Mr. Husted moved that said report and testimony, together with the minority report, when presented, lay upon the table and be printed, and that the same be made a special order for Tuesday evening next.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Marvin moved to take from the table the adverse report of the committee on the judiciary, in the words following :

"Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Marvin, Int. No. 226, entitled 'An act to provide for the filing of security for the payment of damages and costs by the plaintiff in actions or proceedings against physicians, surgeons and dentists for damages, or punishment for malpractice,' reported adversely thereto."

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Marvin moved to recommit said bill to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. J. S. Brown presented a petition for the preservation of fish in Owasco lake; which was read and referred to the committee on game laws.

Mr. Bowen presented a petition of tax-payers of the town of Danemora, in the county of Clinton, in relation to State lands in said town; which was read and referred to the committee on State prisons.

Also, a petition of tax-payers of the town of Plattsburgh, in relation to the collection of taxes in said town; which was read and referred to the committee on affairs of villages.

Mr. Taylor presented a petition of Volney G. Knapp and others, trustees of the Tonawanda Reservation Manual Labor School, for an appropriation to finish the school buildings; which was read and referred to the committee on ways and means.

Mr. Piper presented a petition of citizens of Niagara county for reduction of salaries of county judge and surrogate of the county of

Niagara; which was read and referred to the committee on ways and means.

Mr. Moore presented two petitions to repeal chapter 117 of Laws of 1856, relating to the Black River and Utica Railroad Company for the increase of the rate of fare; which were read and referred to the committee on railroads.

Mr. Williams presented a petition of lawyers of Chautauqua county for repeal of Code of Remedial Justice; which was read and referred to the committee on the judiciary.

Mr. Noyes presented a petition of citizens of Saratoga Springs against repeal of civil damage act, passed 1873; which was read and referred to the committee on the judiciary.

Mr. Fish presented a remonstrance of New York Chapter of American Architects against merging of New York City Building Department with any other department; which was read and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Bulmer introduced a bill entitled "An act to enable the town of Newtown, in Queens county, to consolidate a portion of its bonded debt and equalize the time of payment thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Moore offered for the consideration of the House a resolution, in the words following:

*Resolved*, That 2,000 extra copies of the report of the State Engineer and Surveyor on Canals be printed for the use of the Legislature, and 750 copies, to be bound in cloth, for the use of the department.

*Ordered*, That said resolution be referred to the committee on public printing.

On motion of Mr. Corbett, and by unanimous consent, the Senate bill entitled "An act to authorize the Utica Mechanics' Association to borrow money to pay its floating debt, and to issue bonds and to execute a mortgage to secure the payment of the same," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 {  
{ NOES 00 {

Those who voted in the affirmative, were

Alvord	Dimond	Langbein	H. H. Rockwell
Backenstose	Ecclesine	Lyon	W. L. Rockwell
Baker	Fay	Marvin	Ruggles
M. L. Baldwin	Filkin	Maynard	Sanders
Barnes	Flecke	McFalls	Santee
Billington	Floyd-Jones	McGraw	Shanley
Bowen	Galvin	McKee	Skinner
Brick	Gere	Moller	Speaker
Brill	Gilbert	Moore	Spicer
J. H. Brown	J. G. Graham	Nachtmann	Stein
J. S. Brown	J. S. Graham	Neilson	Stephenson
Bulmer	Gulick	Niven	Suydam

G. M. Case	Hammond	O'Hare	Taylor
T. A. Case	Herrick	Peck	Thistlethwaite
Clark	Herbst	Piper	Tighe
Corbett	Humphrey	Post	Valentine
Corsa	Husted	Potter	Webb
Cowdin	King	Proper	Williams
Cozans	Lang	Purdy	Winch
Dillmeier			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

Mr. Spinola offered for the consideration of the House a resolution, in the words following:

*Resolved* (if the Senate concur), That the Senators in Congress from this State be respectfully requested to use their influence for the passage in the United States Senate of the House bill extending the time for ex-officers and soldiers, who served during the late war, to apply for their pensions until January 1, 1880, and for paying such pensions from the date of muster out or discharge.

Said resolution being concurrent,

*Ordered*, That the same be laid on the table.

Mr. Ecclesine offered for the consideration of the House a resolution, in the words following:

*Resolved*, That 2,500 extra copies of the fifty-eighth annual report of the New York Institution for the Instruction of the Deaf and Dumb, be printed for distribution by the officers of said institution.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Purdy called from the table a resolution previously offered by him, in the words following:

*Whereas*, The recent failures of life insurance companies and the disclosures attending thereon, have created much anxiety and alarm in the public mind respecting the solvency, business standing and practices of life insurance companies doing business in this State; therefore

*Resolved*, That a special committee of five be appointed, with power to send for persons and papers and to employ competent expert assistance, to examine into the practices and condition of the life insurance companies authorized to do business in this State, and report to this House, as soon as practicable, what remedial legislation, if any, is necessary for the protection of the life insurance interests of the people.

Mr. Alvord moved that the further consideration of said resolution be postponed, and that the same be made a special order for to-morrow morning immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Alvord offered for the consideration of the House a resolution, in the words following:

*Resolved* (if the Senate concur), That this House will adjourn on Wednesday, the 21st inst., at 12 noon, until Tuesday the 27th inst., at 11 o'clock, A. M.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Fish offered for the consideration of the House a resolution, in the words following:

*Resolved*, That this House will hold a session every Tuesday and Thursday evening at 7½ o'clock, beginning Tuesday, February 20.

Mr. Alvord moved to amend by striking out the words "February 20" and inserting the words "March 1st."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution, as amended, and it was determined in the affirmative.

Mr. Wickes, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend section 55 of article 3, of chapter 8 of part 2 of the Revised Statutes, entitled 'Of divorces dissolving the marriage contract.'"

"An act to provide for the appointment and to establish the fees of special surrogates."

"An act to amend chapter 171 of the Laws of 1857, entitled 'An act to revise, amend and consolidate the laws in relation to the village of Norwich, in the county of Chenango,' passed March 23, 1857, and other acts amendatory thereof."

Mr. Alvord moved that Assembly bill entitled "An act to amend chapter 171 of the Laws of 1857, entitled 'An act to revise, amend and consolidate the laws in relation to the village of Norwich, in the county of Chenango,' passed March 23, 1857, and other acts amendatory thereof," do now have its third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Said bill being announced for a third reading,

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 76 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Fay	Langbein	H. H. Rockwell
Backenstose	Filkin	Longyear	W. L. Rockwell
Baker	Fish	Maher	Ruggles
S. Baldwin	Floyd-Jones	Marvin	Sager
Barnes	Gallagher	Maynard	Sanders
Billington	Galvin	McFalls	Santee
Bissell	Gere	McGraw	Shannon
Bowen	Gilbert	McKee	Skillman
Bradley	J. G. Graham	Moore	Skinner
Brill	J. S. Graham	Morey	Spicer
G. M. Case	Gulick	Neilson	Stein

T. A. Case	Hammond	Niven	Stephenson
Clark	Hepburn	O'Hare	Suydam
Corbett	Herrick	Orr	Taylor
Coulter	Herbst	Piper	Tighe
Cozans	Humphrey	Post	Webb
Curran	Husted	Potter	Wickes
Davenport	King	Proper	Williams
Ecclesine	Lang	Purdy	Winch

For the negative,

Spinola

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The hour of 2 o'clock having arrived, the House adjourned.

## SATURDAY, FEBRUARY 17, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Magee.

The journal of yesterday was read and approved.

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows:

"An act to authorize the city of Newburgh to borrow moneys and issue bonds therefor in payment of the enlargement and improvement of the water-works of said city."

*Ordered*, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act further to amend chapter 320 of the Laws of 1872, entitled 'An act to amend an act in relation to the rates of wharfage, and to regulate piers, wharves, bulk-heads and slips, in the cities of New York and Brooklyn,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

The Senate returned the Senate bill entitled "An act in relation to the Superintendent of State prisons," with a message informing that they had concurred in the amendments of the Assembly made thereto.

*Ordered*, That the Clerk return said bill to the Senate.

Leave of absence was granted to Messrs. Lyons, Tabor and Billings. Mr. Billings moved that indefinite leave of absence be granted to Mr. Healy.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Alvord moved that leave of absence be granted to Mr. Nachtmann.

Mr. Brill moved to amend by inserting after the name of "Mr. Nachtmann" the words "and all members who are absent."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Brill, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to

said motion of Mr. Alvord, as amended, and it was determined in the affirmative.

Mr. Speaker announced the special order of the day, being the resolution previously offered by Mr. Purdy, in the words following:

*Whereas*, The recent failures of life insurance companies, and the disclosures attending thereon, have created much anxiety and alarm in the public mind respecting the solvency, business standing and practices of life insurance companies doing business in this State; therefore,

*Resolved*, That a special committee of five be appointed, with power to send for persons and papers, and to employ competent expert assistance to examine into the practices and condition of the life insurance companies authorized to do business in this State, and report to this House, as soon as practicable, what remedial legislation, if any, is necessary for the protection of the life insurance interests of the people.

Mr. Alvord moved to postpone the further consideration of said resolution until Monday evening next, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Flecke introduced a bill entitled "An act for the better protection of human life and limb," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Mr. J. S. Graham introduced a bill entitled "An act to authorize the city of Rochester to acquire the title to land or other property for the use of water-works," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on affairs of cities.

Mr. Ecclesine introduced a bill entitled "An act to make life insurance policies non-forfeitable in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Cowdin introduced a bill entitled "An act to prevent the making and publication of false or deceitful statements in relation to the business of fire insurance," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Langbein introduced a bill entitled "An act for the relief of the Kip's Bay Methodist Episcopal Church," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hamilton introduced a bill entitled "An act to amend an act entitled 'An act to empower Ulster Lodge, No. 59, of the Independent Order of Odd Fellows, of the State of New York, in the village of Saugerties, and county of Ulster, to hold and convey real and personal estate and constitute the same a corporation,' passed May 9, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Moore presented a petition for the repeal of chapter 117, Laws of 1856, relating to rate of fare on Black River and Utica Railroad; which was read and referred to the committee on railroads.

Mr. Langbein presented the petition of the Kip's Bay Methodist



Episcopal Church for passage of an act for relief, etc.; which was read and referred to the committee on the judiciary.

Mr. Marvin offered for the consideration of the House resolutions, in the words following:

*Resolved*, That the president and treasurer of the New York Central Railroad Company be, and they are hereby required, within ten days after the service of this resolution, to furnish this House with a sworn statement of all moneys paid by, for, or in behalf of said company during the year 1876, for taxes and assessments; said statement to contain dates and places of payment. Also, within the same period, a like statement for the year ending December 31st, 1875.

*Resolved*, That this resolution be forthwith sent to the president and treasurer.

Said resolutions giving rise to debate,

*Ordered*, That the same be laid on the table.

Mr. Husted moved that Assembly bill entitled "An act making an appropriation for the payment of a portion of the general fund State debt," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. J. S. Graham moved that Assembly bill entitled "An act to amend chapter 143 of the Laws of 1861, entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' passed April 8, 1861, and the various acts amendatory thereof or relating to the city of Rochester," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend chapter 143 of the Laws of 1861, entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' passed April 8, 1861, and the various acts amendatory thereof or relating to the city of Rochester."

"An act to amend chapter 767 of the Laws of 1872, entitled 'An act to establish the compensation of county judges and surrogates, pursuant to the fifteenth section of the amended sixth article of the Constitution.'"

"An act making an appropriation for the payment of a portion of the general fund State debt."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Longyear, from said committee, reported in favor of the passage of said first mentioned bill, with amendments; which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Longyear, from said committee, also reported progress on said second mentioned bill, and asked leave to sit again.

The question being on granting leave,

Mr. Alvord moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be referred to the committee on ways and means, retaining its place on the order of general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Longyear, from said committee, also reported in favor of the passage of said third mentioned bill; which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Moller moved that the Senate bill entitled "An act to amend chapter 235 of the Laws of 1873, entitled 'An act to amend an act entitled An act to establish free schools in school district number four, in the town of East Chester, Westchester county,' passed June 8, 1853," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

On motion of Mr. Gere, the privileges of the floor were granted to Hon. Mr. Ford.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend chapter 207 of the Laws of 1876, entitled 'An act to incorporate the Grand Army of the Republic Soldiers' Home of the State of New York,' passed May 15, 1876."

"An act to amend chapter 113 of the Laws of 1859, entitled 'An act in relation to the common schools in the village of Elmira,' passed April 4, 1859."

Senate, "An act to amend chapter 235 of the Laws of 1873, entitled 'An act to amend an act entitled An act to establish free schools in school district No. 4, in the town of East Chester, Westchester county,' passed June 8, 1853."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Santee, from said committee, reported in favor of the passage of said first and second mentioned bills, the first mentioned bill, with amendments; which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Santee, from said committee, also reported in favor of the passage of said third mentioned bill; which report was agreed to, and said bill ordered to a third reading.

Mr. Alvord moved that when the House adjourn to-day, it be to meet on Monday evening, at eight o'clock.

Mr. Brill moved to amend by striking out the word "eight," and inserting the words "eight thirty."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Brill, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Alvord, and it was determined in the affirmative.

Mr. Husted called from the table a resolution previously offered by Mr. Hodges in the words following:

*Whereas*, A resolution has been introduced into this House, and referred to the committee on ways and means, with instructions to report at an early day some plan looking to a radical change in the present method of assessment and taxation in this State; and

*Whereas*, It is not probable that the said committee will be able to perfect such plan, in addition to their other duties during the present session of this Legislature; and

*Whereas*, The necessity of the case does not admit of any unnecessary delay; therefore

*Resolved*, That the committee on ways and means of this House be and they are hereby requested to report to this House at an early day, a

plan for a commission, to be appointed by the Governor, by and with the advice and consent of the Senate, the said commission to give the whole matter of assessment and taxation thorough consideration during the recess, and report to the next Legislature of this State what changes in existing laws may be necessary, and what new features can be introduced to make a system of assessment and taxation which shall be more perfect, just and satisfactory than the present one.

Said resolution was referred to the committee on ways and means.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to require the clerks of the several boards of supervisors of the several counties of this State to transmit copies of the proceedings of the several boards of supervisors to the librarian of the State Library."

"An act to amend chapter 381 of the Laws of 1875, entitled 'An act supplemental to an act entitled An act to provide for the incorporation of religious societies, passed April 5, 1818,' and of the several acts amendatory thereof."

"An act for the relief of the Lake George and Warrensburgh Plank-road Company, and to extend its charter or corporate existence."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. J. S. Brown, from said committee, reported in favor of the passage of said first and second mentioned bills; which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. J. S. Brown, from said committee, also reported progress on said third mentioned bill, and asked and obtained leave to sit again.

Mr. Hepburn moved that the House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Hamilton moved that Assembly bill entitled "An act to incorporate Rapid Hose Company No. 1, of the city of Kingston, Ulster county, State of New York," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Bradley moved that Assembly bill entitled "An act to enlarge the Ridgewood reservoir of the city of Brooklyn," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to incorporate Rapid Hose Company No. 1, of the city of Kingston, Ulster county, State of New York."

"An act to enlarge the Ridgewood reservoir of the city of Brooklyn."

"An act to release certain lands which have escheated to the State to Sarah Henesy, widow of John Fagan, late of Saratoga Springs, New York."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. T. A. Case, from said committee, reported in favor of the passage of said first and third mentioned bills; which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. T. A. Case, from said committee, also reported progress on said second mentioned bill, and asked leave to sit again.

Mr. Bradley moved to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Bradley, and by unanimous consent, said bill was amended as follows: In line 3, section 1, after the word "best," strike out the word "provided." Line 4, same section, after the word "labor," insert the words "or by contract as they may determine."

Said bill, as amended, was ordered engrossed for a third reading.

On motion of Mr. Husted, at 1 o'clock and 40 minutes, the House adjourned.

## MONDAY, FEBRUARY 19, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Graham.

The journal of Saturday, February 17, was read and approved.

Mr. Speaker presented a message from his excellency the Governor, in words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }  
ALBANY, *February* 19, 1877. }

*To the Legislature:*

I have the honor to transmit herewith a joint resolution of the Legislature of the State of Michigan, in relation to the erection of a light house on Stannard's Rock, Lake Superior, together with a communication from his excellency Charles M. Croswell, Governor of the State.

L. ROBINSON.

*Ordered,* That said communication be referred to the committee on federal relations.

Mr. Speaker presented a communication from the Auditor of the Canal Department, in response to a resolution of the Assembly, calling for certain information relative to employment of labor, etc., on the canals of the State; which was laid on the table and ordered printed.

(See Doc. No. 55.)

Mr. Speaker presented the report of the Brooklyn Life Insurance Company, in answer to a resolution of the Assembly; which was laid on the table and ordered printed.

(See Doc. No. 42.)

On motion of Mr. O'Hare the privileges of the floor were granted to the Hon. Mr. Costigan.

Mr. Cozans, from the committee on privileges and elections, presented a minority report in relation to the contested seat of Mr. Curran; which was laid on the table and ordered printed.

(See Doc. No. 54.)

Indefinite leave of absence was granted to Messrs. E. Case, Herbst and Smith.

Mr. Speaker announced the special order of the day, being the resolution previously offered by Mr. Purdy, in the words following:

*Whereas*, The recent failure of life insurance companies, and the disclosures attending thereon, have created much anxiety and alarm in the public mind respecting the solvency, business standing and practices of life insurance companies doing business in this State; therefore,

*Resolved*, That a special committee of five be appointed, with power to send for persons and papers, and to employ competent expert assistance to examine into the practices and condition of the life insurance companies authorized to do business in this State, and report to this House, as soon as practicable, what remedial legislation, if any, is necessary for the protection of the life insurance interests of the people.

Mr. Weiant moved to amend said resolution by striking out the words "a special committee of five" and inserting in lieu thereof the words "the standing committee on insurance of the House."

Mr. Gilbert offered the following as a substitute:

*Whereas*, The recent failure of the following life insurance companies, namely: The Security, the Continental and the New Jersey Mutual, and the disclosures attending thereon, have created anxiety in the public mind respecting the solvency, business standing and practices of the other life insurance companies doing business in this State; therefore,

*Resolved*, That the committee on insurance be and hereby is directed to make inquiry concerning the condition and practices of the life insurance companies authorized to do business in this State, and to report, within thirty days, such remedial legislation as, in the judgment of the committee, may be necessary to correct such abuses as may be found to exist; such committee shall have power to send for persons and papers and employ counsel and experts in the matter of such inquiry.

Mr. Hepburn moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Weiant, and it was determined in the negative.

{ AYES 20 }  
{ NAYS 83 }

Those who voted in the affirmative, were

Billington	Grady	Hepburn	Moore
Coulter	J. G. Graham	Hogeboom	Sheldon
Ecclesine	Gulick	Langbein	Speaker
Floyd-Jones	Hammond	Longyear	Webb
Gilbert	Hayes	Maynard	Weiant

Those who voted in the negative, were

Alvord	Davenport	McKee	Sanders
Baker	Dillmeier	Mitchell	Santee
S. Baldwin	Dimond	Moller	Shanley
M. L. Baldwin	Fay	Moody	Skinner
Barnes	Filkin	Morey	Spicer
Billings	Fish	Nachtmann	Spinola
Bissell	Flecke	Neilson	Stein
Bradley	Galvin	Niven	Stephenson
Brick	Gere	O'Hare	Stone
Brill	Hamilton	Orr	Strahan

J. H. Brown	Healy	Peck	Suydam
Burns	Herrick	Piper	Taylor
G. M. Case	Holahan	Post	Thistlethwaite
T. A. Case	Husted	Potter	Tighe
Childs	King	Proper	Valentine
Clapp	Lang	Purdy	Waddell
Corbett	Lyon	H. H. Rockwell	Welsh
Corsa	Maher	W. L. Rockwell	Wickes
Cowdin	McFalls	Rooney	Williams
Crowley	McGraw	Ruggles	Winch
Curran	McGroarty	Sager	

Mr. Speaker then put the question whether the House would agree to said substitute, and it was determined in the affirmative.

{ AYES 60 }  
{ NOES 43 }

Those who voted in the affirmative, were

Alvord	Ecclesine	Longyear	Santee
Baker	Fay	Maynard	Sheldon
S. Baldwin	Filkin	McFalls	Skinner
M. L. Baldwin	Floyd-Jones	McGraw	Speaker
Barnes	Gere	McKee	Spicer
Billington	Gilbert	Moody	Stone
G. M. Case	J. G. Graham	Moore	Taylor
T. A. Case	Gulick	Morey	Thistlethwaite
Clapp	Hayes	Neilson	Tighe
Corbett	Hepburn	O'Hare	Webb
Coulter	Hogeboom	Peck	Weiant
Cowdin	Husted	Post	Welsh
Cozans	King	Potter	Wickes
Dillmeier	Lang	Ruggles	Williams
Dimond	Langbein	Sanders	Winch

Those who voted in the negative, were

Billings	Davenport	Maher	W. L. Rockwell
Bissell	Fish	McGroarty	Rooney
Bradley	Flecke	Mitchell	Sager
Brick	Galvin	Moller	Shanley
Brill	Grady	Nachtmann	Spinola
J. H. Brown	Hamilton	Niven	Stein
Burns	Hammond	Orr	Stephenson
Childs	Healy	Piper	Strahan
Corsa	Herrick	Proper	Suydam
Crowley	Holahan	Purdy	Valentine
Curran	Lyon	H. H. Rockwell	

By unanimous consent,

Mr. Husted introduced a bill entitled "An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Post introduced a bill entitled "An act to amend chapter 482 of

the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and to regulate the compensation of supervisors,' passed June 5, 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Welsh moved that the House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon, at 11 o'clock the House adjourned.

## TUESDAY, FEBRUARY 20, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Walsh.

The journal of yesterday was read and approved.

The Senate returned the bill entitled "An act establishing the salary of the deputy Comptroller and making appropriations for certain expenses of the government, and supplying deficiencies in former appropriations, for the fiscal year ending September 30, 1877," with a message informing that they had passed the same, with the following amendments:

Section 1, line 28, add after the word "government," the words "and the office of second deputy Comptroller is hereby abolished."

Add at the end of section 1 the following:

"The Comptroller is hereby authorized to pay to sheriffs mileage and the actual expenses incurred by him for maintenance, for the transportation of convicts to the State Reformatory at Elmira, and such reasonable compensation for these services as the Comptroller shall deem just and equitable.

"For the support of the laundry establishment at Sing Sing prison, the sum of seven thousand five hundred dollars, for the current fiscal year ending September thirtieth, eighteen hundred and seventy-seven, as authorized by chapter four hundred and fifty-eight, Laws of eighteen hundred and sixty-six, and the earnings from this source shall be accounted for and deposited in the same manner as other prison earnings."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dimond	Longyear	Santee
Backenstose	Ecclesine	Maher	Shannon
Baker	Fish	Marvin	Skinner
S. Baldwin	Flecke	Maynard	Speaker
M. L. Baldwin	Floyd-Jones	McFalls	Spicer
Barnes	Gallagher	McGraw	Stephenson
Billings	Gere	McGroarty	Stone
Billington	J. G. Graham	McKee	Strahan

Brick	J. S. Graham	Moody	Suydam
J. S. Brown	Gulick	Neilson	Taylor
Bulmer	Hamilton	O'Hare	Thistlethwaite
T. A. Case	Hammond	Orr	Tighe
Childs	Hayes	Peck	Valentine
Clapp	Hepburn	Piper	Waddell
Clark	Herrick	Post	Webb
Corbett	Hodges	Potter	Weiant
Coulter	Hogeboom	H. H. Rockwell	Welsh
Cowdin	Husted	Ruggles	Wickes
Oozans	King	Sager	Winch
Davenport	Langbein	Sanders	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned the following resolution: *Resolved* (if the Senate concur), That this House will adjourn on Wednesday the 21st inst., at 12 o'clock, noon, until Tuesday the 28th inst., at 11 o'clock A. M.; with a message informing that they had passed the same, with the following amendment:

Strike out the words "this House," and insert in lieu thereof the words "the Legislature."

The amendment having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing of concurrence in their amendment.

Mr. Speaker presented a communication from the Attorney-General, in response to a resolution of the Assembly adopted January 29, 1877, calling for certain information relating to suits of the State, and costs thereof; which was laid on the table and ordered printed.

(See Doc. No. 57.)

Mr. Speaker announced the special order of the day, being the bill entitled "An act making appropriations for the support of government."

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act making appropriations for the support of government."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. McKee, from said committee, reported progress on said bill, and asked leave to sit again.

The question being on granting leave,

Mr. Speaker put the question whether the House would grant said request, and it was determined in the affirmative.

Mr. Husted moved that said bill be made a special order for to-morrow morning, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Alvord moved that the session of this House be extended for the introduction of bills.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. O'Hare offered for the consideration of the House a resolution, in the words following:



*Whereas*, Wide-spread distrust and universal dissatisfaction prevail in the public mind, caused by the laxity and incompleteness of past legislation upon the subject of life insurance, and by the gross frauds and mismanagement which have brought many of the life insurance companies of the State of New York to the verge of insolvency, if not utter bankruptcy; and,

*Whereas*, Ruin and desolation have been entailed upon many once happy homes, by the calamitous failures of life insurance companies, formerly considered bulwarks of strength and solvency; and,

*Whereas*, In addition to a thorough, sweeping and radical investigation of life insurance matters, through the instrumentality of a commission appointed by law, it is imperatively necessary that some steps should be taken towards the immediate enactment of such laws as will remedy the evils already known to exist therein; therefore,

*Resolved*, That the committee on insurance, of this House, be and it hereby is directed, within fifteen days, to prepare and report a general bill which shall contain such provisions and create such penalties and sanctions, both civil and criminal, as will effectually check the evils from which the community is now suffering, and prevent a recurrence of the disasters that have made them generally felt and recognized.

Said resolution giving rise to debate,

*Ordered*, That the same be laid on the table.

Mr. Herrick introduced a bill entitled "An act in relation to coroners' fees, their term of office and post-mortem examinations in Albany county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Moody introduced a bill entitled "An act to amend an act entitled 'An act to authorize the Binghamton, Dushore and Williamsport Railroad Company to lay a railroad track on the towpath of that part of the Chenango Canal extension, which lies south of the Susquehanna river,' passed June 26, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Also, petitions on the same subject, which were read and referred to the same committee.

Mr. T. A. Case introduced a bill entitled "An act to amend chapter 374 of the Laws of 1876, entitled 'An act to amend section 9 of chapter 567 of the Laws of 1875, entitled An act to amend chapter 555 of the Laws of 1864, entitled An act to revise and consolidate the general acts relating to public instruction,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Suydam introduced a bill entitled "An act to authorize the board of education of the city of Brooklyn, to establish a home or school of reform for truant children, and to transfer the Truant Home of the city of Brooklyn, to the care and custody of the said board of education," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Morey introduced a bill entitled "An act to confirm the official acts of Dugald E. Cameron, heretofore elected a justice of the peace for the town of Caledonia, in the county of Livingston," which was read the first time, and by unanimous consent was also read the second time, when

On motion of Mr. Morey, and by unanimous consent, said bill was ordered to a third reading.

Mr. W. L. Rockwell introduced a bill entitled "An act to release to Miles Perry and his legal representatives the title and interest of the people of the State of New York in certain real estate in the town of Riga, and county of Monroe," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

Mr. Sheldon introduced a bill entitled "An act creating and providing for a convention to determine what shall be the studies and instruction in the common schools of this State, and to prescribe the text-books to be used therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Strahan introduced a bill entitled "An act to authorize the appointment of a policeman of district telegraph companies in the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to amend chapter 52 of the Laws of 1875, entitled 'An act to provide for the discharge of judgments against persons discharged under the United States bankruptcy law,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Cowdin introduced a bill entitled "An act to change the time for electing directors of the Hanover Fire Insurance Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Healy introduced a bill entitled "An act to amend chapter 385 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Coulter offered for the consideration of the House a resolution, in the words following:

*Resolved*, That there be printed 1,000 extra copies of the tenth annual report of the New York Institution for the Improved Instruction of Deaf Mutes, for the use of said institution.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Hayes introduced a bill entitled "An act in relation to proceedings whether in courts of record or otherwise, to ascertain and provide compensation to owners for private property taken for public or private use, as contemplated by section 7, article 1 of the Constitution of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Bissell introduced a bill entitled "An act to legalize the acts of the trustees of the village of North Tonawanda," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Alvord introduced a bill entitled "An act authorizing the Commissioners of the Land Office to exchange lands on the Onondaga Salt Springs Reservation," which was read the first time, and by unanimous

consent was also read the second time, and referred to the committee on ways and means.

Mr. Davenport introduced a bill entitled "An act in relation to the publication of the official canvass of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. G. M. Case introduced a bill entitled "An act to amend the statutes in reference to the collection of taxes in the county of Oswego," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent,

Mr. Floyd-Jones presented a petition relative to the new county of Nassau; which was read and referred to the committee on civil divisions.

Mr. Burns introduced a bill entitled "An act to amend an act entitled 'An act to amend an act passed May 3, 1870, entitled An act to amend an act to incorporate the city of Troy, passed April 12, 1816, and the several acts amendatory thereto, and also to amend other acts relating to the city of Troy,' passed March 23, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to amend an act in relation to the city of Troy, passed January 28, 1848, as amended by an act to amend an act entitled 'An act in relation to the city of Troy,' passed January 28, 1848, passed April 4, 1849," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act for the relief of William Russell, and authorizing the city of Troy to refund to said Russell certain moneys paid by him for taxes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Brick introduced a bill entitled "An act providing for the use of a portion of Washington square, at Stapleton, in the village of Edgewater, town of Middletown, and county of Richmond, as a site for a county court-house," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Lang introduced a bill entitled "An act to secure to policy holders in life insurance companies an equitable benefit under forfeited or lapsed policies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Neilson introduced a bill entitled "An act to relieve the county of Saratoga from the provisions of chapter 173 of the Laws of 1875, entitled 'An act to provide for the better care of pauper and destitute children,' passed April 24, 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Noyes introduced a bill entitled "An act to provide for the improvement of Broadway, in the village of Saratoga Springs," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Sanders introduced a bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relative to the city of Schenectady,' passed April 21, , and the acts amendatory

thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. McGroarty introduced a bill entitled "An act to provide for the collection of the unpaid assessments for the opening, regulating and grading of Franklin avenue, in the towns of Flatbush and New Utrecht," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Husted moved that the House take a recess till half-past seven o'clock this evening.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon, the House adjourned.

### HALF-PAST SEVEN O'CLOCK.

The House again met.

By unanimous consent,

Mr. Post moved that when the House adjourns to-night, it be to meet to-morrow morning, at 10 o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker ordered the Clerk to call the roll, to ascertain if a quorum was present, when the following members answered to their names:

Alvord	Grady	Nachtmann	Skinner
Backenstose	Hammond	Neilson	Speaker
Barnes	Herrick	Niven	Spicer
Billings	Hogeboom	Orr	Spinola
Billington	Holahan	Peck	Stein
Brill	Husted	Piper	Stone
J. S. Brown	Lang	Post	Suydam
G. M. Case	Longyear	Potter	Taylor
Clapp	Maher	Purdy	Thistlethwaite
Coulter	Marvin	W. L. Rockwell	Tighe
Cozans	Maynard	Rooney	Valentine
Curran	McGraw	Ruggles	Weiant
Dillmeier	Moody	Sager	Wickes
Floyd-Jones	Morey	Sanders	Winch
Galvin			

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A quorum not having answered to their names,

Mr. Morey moved a call of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

} AYES 25 {  
} NOES 46 {

Those who voted in the affirmative, were

Alvord	Gere	Post	Taylor
Backenstose	Husted	Skinner	Thistlethwaite

Barnes	Langbein	Speaker	Valentine
G. M. Case	Moody	Spicer	Welsh
Clapp	Morey	Spinola	Wickes
Cowdin	Peck	Strahan	Williams
Fish			

Those who voted in the negative, were

Billings	Floyd-Jones	Maher	Purdy
Bissell	Galvin	Marvin	W. L. Rockwell
Brick	Grady	Maynard	Rooney
Brill	Hamilton	McGraw	Sager
J. S. Brown	Hammond	Moller	Sanders
Burns	Healy	Nachtmann	Shanley
Coulter	Herrick	Neilson	Stein
Cozans	Hogeboom	Niven	Stone
Curran	Holahan	O'Hare	Suydam
Dillmeier	Lang	Piper	Tighe
Dimond	Longyear	Potter	Winch
Ecclesine	Lyon		

When the name of Mr. Ruggles was called, he stated that he had paired with Mr. Webb, and was excused from voting by the Speaker.

When the name of Mr. Weiant was called, he stated that he had paired with Mr. S. Baldwin, and was excused from voting by the Speaker.

Mr. Speaker announced the special order of the day being the report of the committee on privileges and elections on the case of Waters W. Braman, contesting the seat of Edward Curran, Member of Assembly from the Fourth Assembly district of Albany county.

Mr. Cozans moved that the consideration of the special order of the day be postponed until next Tuesday evening, and that the same be made a special order for that evening at 7½ o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

{ AYES 94 }  
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Flecke	Maynard	Shanley
Backenstose	Floyd-Jones	McGraw	Sheldon
M. L. Baldwin	Gallagher	McGroarty	Skinner
Billings	Galvin	Mitchell	Sliter
Bissell	Gere	Moller	Speaker
Bowen	Gilbert	Moody	Spicer
Bradley	Grady	Nachtmann	Spinola
Brick	J. G. Graham	Neilson	Stein
Brill	J. S. Graham	Niven	Stephenson
J. S. Brown	Gulick	Noyes	Stone
Burns	Hamilton	O'Hare	Strahan
G. M. Case	Hayes	Peck	Suydam
Clapp	Healy	Piper	Tabor
Corbett	Herrick	Post	Taylor
Corsa	Hodges	Potter	Thistlethwaite
Coulter	Hogeboom	Purdy	Tighe

Cowdin	Holahan	H. H. Rockwell	Valentine
Cozans	Husted	W. L. Rockwell	Webb
Curran	Lang	Rooney	Welsh
Dillmeier	Langbein	Ruggles	Wemple
Dimond	Longyear	Sager	Wickes
Ecclesine	Lyon	Sanders	Williams
Fay	Maher	Santee	Winch
Fish	Marvin		

Those who voted in the negative, were

Barnes                      McKee                      Morey

Whereupon, at 8 o'clock and 20 minutes, the House adjourned.

### WEDNESDAY, FEBRUARY 21, 1877.

The House met pursuant to adjournment.

No clergyman present.

The journal of yesterday was read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to amend chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plank-roads and turnpikes,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend chapter 641 of the Laws of 1867, entitled 'An act for the relief of the Co-operative Iron Founders' Association of Troy,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

"An act to amend chapter 559 of the Laws of 1864, entitled 'An act to amend the act entitled An act to provide for the incorporation of villages,' passed December 7, 1847, so far as relates to the village of Corning, in the county of Steuben," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act in relation to county treasurers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 277 of the Laws of 1870, entitled 'An act to amend an act entitled An act to amend an act entitled An act for the benefit of married women, in insuring the lives of their husbands,' passed April 14, 1858," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act further to amend chapter 463 of the Laws of 1860, entitled 'An act to revise the charter of the city of Oswego,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act further to amend chapter 692 of the Laws of 1866, entitled

'An act to amend an act fixing the fees of justices of the peace and constables in civil and criminal cases, and the fees of jurors and witnesses in justices' courts, and for other purposes,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 361 of the Laws of 1852, entitled 'An act to facilitate the dissolution of manufacturing corporations in the county of Herkimer, and to secure the payment of their debts without preference,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

"An act to amend chapter 30 of the Laws of 1876, entitled 'An act to amend chapter 520 of the Laws of 1870, entitled 'An act to establish and maintain a police force in the city of Troy, and to increase the powers and duties of the police commissioners of said city,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to amend section 16 of title 3 of chapter 6 of part 1 of the Revised Statutes, entitled 'Of the mode of notifying general and special elections,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 164 of the Laws of 1875, entitled 'An act for the relief of the grandchildren of Samuel F. Pratt, late of the city of Buffalo, deceased,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Senate returned the bill entitled as follows:

"An act establishing the salary of the deputy Comptroller and making appropriations for certain expenses of the government, and supplying deficiencies in former appropriations, for the fiscal year ending September 30, 1877."

*Ordered*, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, requesting the concurrence of the Assembly to a resolution in the words following:

*Resolved* (if the Assembly concur), That five hundred copies of the annual report of the Commissioners of Quarantine be printed for the use of the board, provided that the cost of printing thereof shall not exceed ten cents per page per one hundred copies.

*Ordered*, That said resolution be referred to the committee on public printing.

A message from the Senate was received and read, informing of concurrence in the passage of the resolutions in the words following:

*Resolved* (if the Senate concur), That there be printed 500 extra copies of the annual report of the Superintendent of the Onondaga Salt Springs for the use of the superintendent, provided that the cost thereof shall not exceed ten cents per page per one hundred copies.

*Resolved* (if the Senate concur), That 1,000 copies of the Adjutant-General's report be printed and bound in cloth for the use of the Adjutant-General's department, provided that the cost of printing thereof shall not exceed ten cents per page per one hundred copies.

Mr. Hogeboom presented the fifty-ninth annual report of the trustees of the New York State Library for the year 1876; which was laid on the table and ordered printed.

(See Doc. No. 60.)

Mr. Hogeboom offered in connection therewith a resolution, in the words following:

*Resolved*, That 1,000 copies of the annual report of the trustees of the State Library be printed for the use of the trustees.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Speaker presented a communication from the comptroller of the city of New York, in response to a resolution of the Assembly, dated January 22, 1877, calling for information as to the indebtedness of said city, etc.; which was laid on the table and ordered printed.

(See Doc. No. 59.)

Mr. Alvord, on behalf of Mr. Morey, gave notice that he would move a call of the House on Tuesday evening next.

By unanimous consent,

Mr. McGroarty introduced a bill entitled "An act to authorize the county of Kings to raise money to continue relief supplies to the out-door poor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Gallagher introduced a bill entitled "An act to authorize the common council of the city of Buffalo to make an appropriation for the deficiency in the poor fund of 1876 of said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Indefinite leave of absence was granted to Messrs. Baker and Moore.

By unanimous consent,

Mr. Backenstose introduced a bill entitled "An act in relation to the appointment of town constables," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent,

Mr. Backenstose introduced a bill entitled "An act in relation to proceedings in surrogates' courts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Stone offered for the consideration of the House a resolution, in the words following:

*Resolved*, That there be printed 1,500 extra copies of the second annual report of the Central New York Institution for Deaf Mutes, for the use of said institution.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Speaker announced the special order of the day being the bill entitled "An act making appropriations for the support of government."

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act making appropriations for the support of government."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. McKee, from said committee, reported progress on said bill, and asked leave to sit again.

The question being on granting leave,

Mr. Speaker put the question whether the House would grant said request, and it was determined in the affirmative.



Mr. Husted moved that said bill be made a special order for Tuesday morning next, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Spinola gave notice that he would move a call of the House next Tuesday morning.

On motion of Mr. Husted, and by unanimous consent, Mr. Speaker announced the order of business, "reports of standing committees."

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Alvord, Int. No. 501, entitled "An act authorizing the Commissioners of the Land Office to exchange lands on the Onondaga Salt Springs Reservation," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Hepburn, Int. No. 362, entitled "An act to amend section 3, article 2, title 6, chapter 6, part 1 of the Revised Statutes, in relation to the election of President and Vice-President," reported in favor of the same, which report was agreed to, and said bill committed to the committee of the whole.

(Messrs. H. H. Rockwell, Ruggles and Piper dissented.)

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Strahan, Int. No. 283, entitled "An act to create a court in the city of New York to be known as the City Court of New York, and to abolish the Marine court of said city," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Sliter, Int. No. 320, entitled "An act to amend chapter 398 of the Laws of 1876, entitled 'An act to provide for the election and compensation of coroners in the county of Rensselaer,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Langbein, Int. No. 488, entitled "An act for the relief of the Kip's Bay Methodist Episcopal Church," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Childs, Int. No. 360, entitled "An act to amend chapter 279 of the Laws of 1833, entitled 'An act requiring mortgages of personal property to be filed in town clerks' and other offices,'" reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Purdy, Int. No. 90, entitled "An act for the protection in certain cases of persons making disclosures as parties, or testifying as witnesses," reported adversely thereto, which report was agreed to.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Skinner, Int. No. 401, entitled "An

act to amend sections 1 and 6 of chapter 280 of the Laws of 1845, entitled 'An act for the publication of the Session Laws in two newspapers in each county of this State,' reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Bulmer, Int. No. 298, entitled "An act to prevent fraud, and regulate the carrying of passengers in stages, etc., outside of cities," reported adversely thereto.

On motion of Mr. Bulmer, said report was laid on the table.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. O'Hare, Int. No. 62, entitled "An act relative to attorneys and counselors at law in the State of New York," reported adversely thereto.

On motion of Mr. O'Hare, said report was laid on the table.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Weiant, Int. No. 96, entitled "An act for the better protection of personal character," reported adversely thereto.

The question being on agreeing to said report,

Mr. Weiant moved to disagree with the report of the committee, and that that motion lay on the table.

Mr. Speaker put the question whether the House would agree to said motion to lay on the table, and it was determined in the affirmative.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Tighe, Int. No. 284, entitled "An act to repeal chapter 166 of the Laws of 1873, entitled 'An act in reference to the summoning of jurors in the county of Kings, and fixing the compensation of the sheriff therefor,' passed April 1, 1873," reported adversely thereto.

On motion of Mr. Tighe, said report was laid on the table.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Langbein, Int. No. 359, entitled "An act further to amend chapter 348 of the Laws of 1860, entitled 'An act to secure to creditors a just division of the estates of debtors who convey to assignees for the benefit of creditors,'" reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Strahan offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the committee on the judiciary be discharged from the further consideration of the bill introduced by Mr. Langbein, entitled "An act for the relief of Isaac Pizer, as interpreter of the Fifth police court in the city of New York," and that the same be referred to the committee on affairs of cities.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Ecclesine offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the committee on the judiciary be discharged from the further consideration of the bill entitled "An act in relation to proceedings whether in courts of record or otherwise, to ascertain and provide compensation to owners for private property taken for public or

private use, as contemplated by section 7, article 1 of the Constitution of this State," and that the same be referred to the committee on railroads.

Said resolution giving rise to debate,

*Ordered*, That the same be laid on the table.

Mr. Hogeboom, from the committee on general laws, to which was referred the bill introduced by Mr. Lang, Int. No. 427, entitled "An act to confirm the acts of the trustees of the Raquetteville Cemetery Association of North Potsdam, and to authorize the transfer of the remains of deceased buried in the grounds of such association to other grounds, and to authorize the sale and conveyance of the grounds above-named," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Webb, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Webb, Int. No. 175, entitled "An act to amend chapter 69 of the Laws of 1847, entitled 'An act concerning the pilots of the channel of the East river, commonly called Hell Gate,' passed April 15, 1847, and the various acts amendatory thereof, passed March 12, 1860, March 14, 1865, April 16, 1868, and April 5, 1871," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. J. G. Graham, from the committee on insurance, to which was referred the bill introduced by Mr. Cowdin, Int. No. 500, entitled "An act to change the time for electing directors of the Hanover Fire Insurance Company," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Bowen, from the committee on internal affairs, to which was referred the bill introduced by Mr. Taylor, Int. No. 343, entitled "An act to amend chapter 101 of the Laws of 1862, entitled 'An act in relation to the support and custody of indigent insane persons of the county of Genesee,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Bowen, from the committee on internal affairs, to which was referred the bill introduced by Mr. Post, Int. No. 491, entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation, and to regulate the compensation of supervisors,' passed June 5, 1875," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was recommended the bill introduced by Mr. Cowdin, Int. No. 157, entitled "An act in relation to cleaning the streets of the city of New York," (retaining its place on general orders), reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. J. S. Graham, Int. No. 240, entitled "An act to amend an act entitled 'An act to establish a local court of civil jurisdiction in the city of Rochester, to be called the Municipal Court of the city of Rochester, and to amend the charter of said city,' passed May

2, 1872," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. G. M. Case, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend chapter 143 of the Laws of 1861, entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' passed April 8, 1861, and the various acts amendatory thereof, or relating to the city of Rochester."

"An act making an appropriation for the payment of a portion of the General Fund State debt."

"An act to amend chapter 207 of the Laws of 1876, entitled 'An act to incorporate the Grand Army of the Republic Soldiers' Home of the State of New York,' passed May 15, 1876."

"An act to amend chapter 113 of the Laws of 1859, entitled 'An act in relation to the common schools in the village of Elmira,' passed April 4, 1859."

"An act to require the clerks of the several boards of supervisors of the several counties of this State to transmit copies of the proceedings of the several boards of supervisors to the Librarian of the State Library."

"An act to amend chapter 381 of the Laws of 1875, entitled 'An act supplemental to an act entitled An act to provide for the incorporation of religious societies,' passed April 5, 1813, and the several acts amendatory thereof."

"An act to incorporate Rapid Hose Company, No. 1, of the city of Kingston, Ulster county, State of New York."

"An act to release certain lands which have escheated to the State, to Sarah Heneasy, widow of John Fagan, late of Saratoga Springs, New York."

"An act to confirm the official acts of Dougald E. Cameron, heretofore elected a justice of the peace for the town of Caledonia, in the county of Livingston."

The Senate returned the bill entitled "An act to amend chapter 171 of the Laws of 1857, entitled 'An act to revise, amend and consolidate the laws in relation to the village of Norwich, in the county of Chenango,' passed March 23, 1857, and other acts amendatory thereof," with a message informing that they had passed the same, with the following amendment:

Section 1, strike out the words "said act," and insert the following: "chapter 171 of Laws of 1857, entitled 'An act to revise, amend and consolidate the laws in relation to the village of Norwich, in the county of Chenango.'"

The amendment having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 78 {  
} NOES 00 {

Those who voted in the affirmative, were

Alvord  
Barnes

Floyd-Jones  
Gallagher

McFalls  
McGroarty

Sager  
Sanders

Billings	Gere	McKee	Shanley
Bowen	Gilbert	Moller	Sheldon
Bradley	Grady	Moody	Sliter
Brick	J. G. Graham	Morey	Speaker
J. H. Brown	J. S. Graham	Nachtmann	Stone
E. Case	Hamilton	Neilson	Strahan
G. M. Case	Hammond	Noyes	Snydam
Clapp	Hayes	O'Hare	Tabor
Corbett	Hepburn	Peck	Thistlethwaite
Coulter	Hogeboom	Piper	Valentine
Cowdin	Husted	Post	Waddell
Curran	King	Potter	Weiant
Davenport	Lang	Proper	Welsh
Dillmeier	Langbein	Purdy	Wemple
Dimond	Longyear	H. H. Rockwell	Wickes
Ecclesine	Maher	W. L. Rockwell	Williams
Fish	Marvin	Ruggles	Winch
Flecke	Maynard		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendment.

Leave of absence was granted to Mr. Neilson until Wednesday, the 28th inst.

By unanimous consent,

Mr. Hayes introduced a bill entitled "An act respecting the power of the Union Home and School for the education and maintenance of the children of our volunteers who are left unprovided for, to take and hold real and personal estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

The hour of 2 o'clock having arrived, the House adjourned.

## TUESDAY, FEBRUARY 27, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Williamson.

The journal of Wednesday, February 21, was read and approved.

Mr. Speaker presented a communication from the Auditor of the Canal Department in answer to a resolution of the Assembly; which was laid on the table and ordered printed.

(See Doc. No. 61.)

Mr. Speaker presented the report of the University on the Pennsylvania and New Jersey boundary; which was laid on the table and ordered printed.

(See Doc. No. 62.)

By unanimous consent,

Mr. H. H. Rockwell presented a bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the city of Elmira,' passed May 17, 1875," which was read the first time, and

by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Cozans presented the credentials of Mr. John F. Berrigan, member elect from the first Assembly district of the city of New York, in place of James Healey, deceased.

Mr. J. G. Graham presented the credentials of Mr. J. V. D. Benedict, member elect from the second Assembly district of Orange county, in place of Stewart T. Durland, deceased.

By unanimous consent,

Mr. J. S. Brown introduced a bill entitled "An act to prevent fishing for trout for three years in Owasco lake, in the county of Cayuga," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

On motion of Mr. Marvin, leave of absence was granted for the day to Mr. Lyons.

Leave of absence was granted to Messrs. Stone, Thistlethwaite and S. Baldwin for the present session.

Also, leave of absence to Messrs. Shannon and King for the session of to-day.

By unanimous consent,

Mr. Sheldon introduced a bill entitled "An act to amend section 2 of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent,

Mr. Cowdin introduced a bill entitled "An act to reduce the expenses of the government of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Speaker introduced a bill entitled "An act to amend and make addition to chapter 463 of the Laws of 1860, entitled 'An act to revise the charter of the city of Oswego, and the acts amendatory thereof,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The Senate returned the bill entitled "An act to amend section 1 of chapter 638 of the Laws of 1867, entitled 'An act authorizing the New York Society for the Relief of the Ruptured and Crippled to hold real and personal estate,'" with a message informing that they had passed the same, with the following amendment:

Strike out the first section and insert the following:

SECTION 1. Section 1 of chapter 638 of the Laws of 1867, entitled "An act authorizing the New York Society for the Relief of the Ruptured and Crippled to hold real and personal estate," is hereby amended to read as follows:

§ 1. The New York Society for the Relief of the Ruptured and Crippled is hereby authorized to take by purchase, devise or otherwise, and to hold, transfer and convey, for the purposes of this corporation, and for no other purpose, real property to an amount not exceeding the sum of two hundred and fifty thousand dollars in value, and personal property to an amount not exceeding seven hundred and fifty thousand dollars,

provided that any such devise shall be subject to the existing laws in relation to wills; and provided further, that no salary, fees or compensation shall be paid to or received by any trustee or officer of said society out of any funds or property of the society.

The amendment having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Fay	Måher	Sager
Backenstose	Filkin	Marvin	Sanders
Baker	Fish	Maynard	Santee
Barnes	Flecke	McFalls	Skillman
Benedict	Floyd-Jones	McGraw	Skinner
Berrigan	Gallagher	McGroarty	Smith
Billings	Galvin	McKee	Speaker
Bowen	Gere	Moller	Spicer
Brick	Gilbert	Moody	Spinola
Brill	J. G. Graham	Morey	Stein
J. S. Brown	Gulick	Nachtmann	Stephenson
Bulmer	Hammond	Noyes	Suydam
E. Case	Healy	Orr	Tabor
G. M. Case	Herrick	Peck	Taylor
T. A. Case	Herbst	Piper	Tjghe
Childs	Hodges	Post	Valentine
Clapp	Hogeboom	Potter	Waddell
Clark	Holahan	Proper	Webb
Corsa	Husted	Purdy	Weiant
Coulter	Keator	Rice	Welsh
Crowley	Lang	H. H. Rockwell	Wemple
Curran	Langbein	W. L. Rockwell	Wickes
Davenport	Langner	Rooney	Williams
Dillmeier	Longyear	Ruggles	Winch

*Ordered,* That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendment.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act to authorize the county of Kings to raise moneys to continue relief supplies to the out-door poor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Speaker announced the special order of the day, being the bill entitled "An act making appropriations for the support of government."

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act making appropriations for the support of government."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. McKee, from said committee, reported progress on said bill, and asked leave to sit again.

The question being on granting leave,

Mr. Speaker put the question whether the House would grant said request, and it was determined in the affirmative.

Mr. Husted moved that said bill be made a special order for to-morrow morning, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Husted moved that the time of this session be extended, for the purpose of introduction of bills and reports of standing committees.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Skillman introduced a bill entitled "An act to amend an act entitled 'An act to amend an act for the incorporation of the village of Oxford, and for other purposes,' passed March 25, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. H. H. Rockwell introduced a bill entitled "An act to amend section 13 of an act entitled 'An act to amend an act entitled An act to reduce the number of town officers, and town and county expenses, and to prevent abuses in auditing town and county accounts,' passed December 14, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Bowen introduced a bill entitled "An act to extend the time for the collection of taxes in the town of Plattsburgh, in the county of Clinton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Langner introduced a bill entitled "An act to amend chapter 210 of the Laws of 1847, entitled 'An act to provide for the incorporation of companies to construct plank-roads, and of companies to construct turnpike roads,' passed May 7, 1847," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Tabor introduced a bill entitled "An act to release the interest of the State in certain lands, of which Michael Schmitt died seized to Katharine Schmitt," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

Also, petitions on the same subject, which were read and referred to the same committee.

Mr. Clapp introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the American Baptist Home Mission Society,' passed April 12, 1843, and amended February 9, 1849," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Skinner introduced a bill entitled "An act to amend chapter 199 of the Laws of 1843, relative to the indexing of deeds and mortgages," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Tighe introduced a bill entitled "An act to amend chapter 759 of the Laws of 1871, entitled 'An act concerning the Brooklyn and Rock away Beach Railroad Company,' passed April 26, 1871," which was



read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Also, a bill entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,' passed June 5, 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Shanley introduced a bill entitled "An act to amend an act entitled 'An act for the better protection of seamen in the port and harbor of New York, passed March 21, 1866,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Also, a bill entitled "An act to repeal chapter 614 of the Laws of 1874, entitled 'An act to amend an act entitled An act to confer additional powers upon the Metropolitan police relating to the inspection of steam boilers,' passed April 9, 1862, also to amend an act entitled An act in relation to the inspection of steam boilers except in the Metropolitan district, passed June 22, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Dillmeier introduced a bill entitled "An act to amend the charter of the city of Brooklyn, and to confer the powers of harbor master on the police patrolman detailed to certain docks and piers in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Morey introduced a bill entitled "An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. O'Hare introduced a bill entitled "An act to provide for the aid and support of the poor in the county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Flecke introduced a bill entitled "An act in relation to the New York Central and Hudson River Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Smith introduced a bill entitled "An act to amend chapter 389 of the Laws of 1876, entitled 'An act to amend chapter 504 of the Laws of 1875, entitled An act to amend chapter 455 of the Laws of 1874, entitled An act to protect the fisheries of Cross lake, in the county of Onondaga, State of New York, also of Clyde and Seneca rivers, in the counties of Wayne and Cayuga,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Also, a bill entitled "An act to prevent fishing for trout in Skaneateles lake and in the streams of Onondaga county for a period of three years," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Mr. J. G. Graham introduced a bill entitled "An act to regulate the duties of assessors in assessing persons whose names are already on the tax rolls," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. G. M. Case introduced a bill entitled "An act legalizing and confirming a certain deed of real estate, executed by M. Lindley Lee to Elizabeth Connelly, and also a certain deed executed by said Elizabeth Connelly to Jennie E. Connelly," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

Mr. Peck introduced a bill entitled "An act to provide for uniformity of text-books in the common schools and to secure competition in the publication of the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Brick introduced a bill entitled "An act to amend the charter of the village of Edgewater," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, a bill entitled "An act in relation to the floating debt of the village of Edgewater," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Noyes introduced a bill entitled "An act to provide for the settlement of the floating debt of the village of Saratoga Springs," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Purdy introduced a bill entitled "An act in relation to street improvements in the Twenty-third and Twenty-fourth wards in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to remit and cancel certain awards for closing part of Main street, in the city of Yonkers, and to authorize the common council of the city of Yonkers to close and discontinue certain parts of Main street in said city, without payment of awards heretofore made for the discontinuance of the public use of the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Curran introduced a bill entitled "An act to amend an act to incorporate the city of Cohoes, passed May 19, 1869," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Suydam presented two several petitions relative to the extension of chapter 817, Laws of 1872, in relation to pharmacy; which were read and referred to the committee on the judiciary.

By unanimous consent,

Mr. Morey presented a petition of the lawyers of the town of Nunda, Livingston county, for the repeal of the Code of Remedial Justice; which was read and referred to the committee on the judiciary.

By unanimous consent,

Mr. Fish moved that the bill entitled "An act in relation to the salaries of the officers of the city of Brooklyn," be recommitted to the committee on affairs of cities, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Alvord presented a petition of Lucius Gleason and others in rela-

tion to plank-roads; which was read and referred to the committee on roads and bridges.

By unanimous consent,

Mr. Post presented a petition of members of the bar of Cayuga county asking for the repeal of the Code of Remedial Justice; which was read and referred to the committee on the judiciary.

By unanimous consent,

Mr. Tabor presented a remonstrance of citizens of the city of Buffalo against the increase of fares on city railroads; which was read and referred to the committee on railroads.

By unanimous consent,

Mr. Skinner presented four petitions relative to the reduction of salary of county judge and surrogate in the county of Jefferson; which were read and referred to the committee on the judiciary.

By unanimous consent,

Mr. Smith presented a petition of men and women of Onondaga county for legislative action for relief from the effects of intoxicating liquors; which was read and referred to the committee on

By unanimous consent,

Mr. Floyd-Jones presented a remonstrance from 108 taxpayers of school district No. 6, town of Flushing, to bill proposing to cut off one-half in value in their district for benefit of Flushing village district No. 5; which was read and referred to the committee on public education.

By unanimous consent,

Mr. Gallagher offered for the consideration of the House a resolution, in the words following:

*Resolved*, That there be printed 1,000 extra copies of the sixth annual report of the Le Couteulx St. Mary's Institution for the Improved Instruction of Deaf Mutes for the use of said institution.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Webb, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Bradley, Int. No. 50, entitled "An act to amend chapter 945 of the Laws of 1867, entitled 'An act to regulate the use of certain slips, piers and wharves on the East river, in the city of New York,' passed May 23, 1867," reported adversely thereto.

The question being on agreeing to said report,

Mr. Bradley moved to disagree with said report, and that the same be recommitted to the committee on commerce and navigation.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Webb, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Bulmer, Int. No. 32, entitled "An act to regulate the rate of foot passengers on the boats of the East River Ferry Company, plying between East Thirty-fourth street, city of New York, and Hunter's Point, Long Island City," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

(Mr. Suydam dissented).

Mr. Suydam moved to recommit said bill to the committee on commerce and navigation, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Husted, and at 2 o'clock and 15 minutes, the House took a recess until 7½ o'clock.

# HALF-PAST SEVEN O'CLOCK.

The House again met.

Mr. Speaker announced the special order of the day, being the report of the committee on privileges and elections in the case of Waters W. Braman, contestant in the Fourth Assembly district of the county of Albany, in the words following:

*To the Assembly:*

The Committee on Privileges and Elections, to which was referred the following memorial of Waters W. Braman, contestant, Fourth Assembly district, Albany county:

"The petition of Waters W. Braman, of West Troy, New York, respectfully represents:

That at the last general election, held on the 7th day of November, 1876, your petitioner was duly elected a member of the House of Assembly from the Fourth district in the county of Albany; that by reason of a gross fraud perpetrated by two of the inspectors of election in the eastern district of the Ninth ward of the city of Albany, the petitioner has been deprived of his right to occupy his seat, in the Assembly, at the opening of this session.

The fraud consisted in a fraudulent altering of the result of the canvass in said district, after such canvass had been completed, and the statement thereof made out and signed by the inspectors, supervisors and witnesses, and the dispersing of the parties lawfully present at such canvass; that such alteration changed the result of the election in said Assembly district, and alone prevented the board of county canvassers from certifying to the election of the petitioner; that the said inspectors of election, committing the said fraud, are now under indictment for the same and awaiting trial; that the vote received by Edward Curran and the petitioner respectively, in said district outside of the said eastern district of the Ninth ward of the city of Albany, as declared by the court of county canvassers, was as follows, to wit: That of Edward Curran, the sitting member for said district, was 4,281, that of the petitioner, 4,420, giving the petitioner a majority of 159, exclusive of said eastern district of the Ninth ward; that the actual and true canvass of the votes in said eastern district of the Ninth ward of the city of Albany was as follows:

For the petitioner .....	183
For Edward Curran.....	336

Majority for Curran.....	153
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The spurious and fraudulent return shows:

For the petitioner.....	153
For Edward Curran.....	366

Apparent majority, eastern district of the Ninth ward, for Curran .....	213
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Showing that thirty votes were taken from the petitioner's vote and given to Mr. Curran, in the said election district, sufficient to change the result in the Assembly district. The said Edward Curran claims his seat as such member, and has taken the oath of office therefor. Your petitioner, therefore, prays that this House will declare and determine that your petitioner was elected, and is entitled to his seat as a member thereof, and to all his privileges and rights as such member, and that all such proceedings may be had without delay as may be necessary in the premises and is usual in such cases.

And your petitioner will ever pray.

(Signed)

WATERS W. BRAMAN."

ALBANY, N. Y., *January 2, 1877.*

Respectfully report that pursuant to a resolution of this House, the committee met on the 17th day of January, 1877, at the State Library, in the city of Albany, and having adjourned from time to time, have proceeded by a sub-committee of Messrs. Morey, Backenstose and Rockwell, to take the testimony accompanying and submitted with this report. It is conceded that the vote in the Assembly district, and as shown by the county canvassers, exclusive of the eastern district of the Ninth ward of the city of Albany, was:

For the contestant (Braman) .....	4,420
For the sitting member (Curran) .....	4,261

In relation to the said eastern district of the Ninth ward of the city of Albany, it is claimed by the contestant that the canvass of the ballots in that district, on the evening of election, as then made and announced, was:

For the contestant .....	183
For the sitting member .....	336

And that the certificate of canvass made at that time so showed. That between the canvassing and the filing of the certificate with the clerk of the county of Albany, Thursday after election day, the said certificate was altered by substituting for the original middle sheet (there being three sheets in the certificate) a new sheet, showing a forged and fraudulent result in Member of Assembly, by taking thirty votes from the contestant and giving them to the sitting member, thus showing:

For the contestant .....	153
For the sitting member .....	366

The evidence of all the parties present at the canvass of the result after the closing of the polls at the said eastern district of the Ninth ward, shows that the canvass proceeded without disagreement or question; no dispute over the result announced on Member of Assembly, which was:

Curran .....	336
Braman .....	183

As a conclusion of fact, your committee find that the vote received in the eastern district of the Ninth ward of the city of Albany, at the late election, was 183 for the contestant and 336 for the sitting member, and not as shown by the certificate, which, in their opinion, was fraudulently altered between the time of its completion on the night of election and its filing with the county clerk, by taking thirty votes from the number

belonging to the contestant and accrediting the same to the number given the sitting member, now making, as appears by certificates filed in the clerk's office:

For Curran .....	4,827
For Braman .....	4,573

Curran's majority .....	54
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When, in fact, the original certificates showed :

For Braman .....	4,603
For Curran .....	4,597

Braman's majority .....	6
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Such being the fact, it is clearly evident that but for such fraudulent alterations, Mr. Braman would have received the certificate of election from the board of county canvassers, and, in accordance with this judgment, recommend the adoption of the following resolution :

*Resolved*, That Waters W. Braman is entitled to and is hereby awarded the seat now held by Edward Curran, as member of Assembly for the Fourth Assembly district of the county of Albany, and that the said Edward Curran be at liberty to contest the seat if he shall desire or be so advised.

J. B. MOREY.  
JAMES W. HUSTED.  
D. B. BACKENSTOSE.  
SIMEON R. BARNES.

Mr. Cozans moved to take from the table, and substitute for the majority report the report of the minority of the committee, in the words following :

*To the Assembly :*

The minority of the committee on privileges and elections to which was referred the petition of Waters W. Braman, contestant of the Fourth Assembly district of Albany county, respectfully submit the following :

The petition of the contestant is set forth in the report of the majority of this committee, and need not be repeated here. As in such report stated, the proofs offered by the contestant and by the sitting member were taken by and before a sub-committee; the testimony has been printed and is before the Assembly. The case of the contestant was made upon a single charge, to wit: That the official returns of the inspectors of election in and for the eastern district of the Ninth ward of the city of Albany, after having been duly made and signed by all the three inspectors and by the United States supervisor on the night of election were, before being filed in the county clerk's office, altered and forged, and the actual vote falsified by making it appear that the number of votes cast in the district for the sitting member was 366, and for the contestant 153, when, in fact, the return as originally made showed. and the fact was that only 336 votes were, cast for the sitting member, and 183 for the contestant. The testimony was conflicting as to the declaration on the night of election, and the fact of what the vote actually was. There was no direct proof of any alteration of the returns. The returns are regular on their face, and the sitting member

was by them, and the certificate of the county board of canvassers clearly entitled to his seat. The burden of proving the alleged fraud and forgery was upon the contestant. In our opinion he failed to make out his case or claim, and the clear weight of evidence was in favor of the correctness of the official returns, and against the charge of fraud and forgery. Of the three inspectors, two testified most positively that the returns were correct, and had not been altered. Of the poll clerks, one impeached the correctness of the return, and one sustained it.

One supervisor impeached and one sustained, and so of the witnesses and other parties there was about an equal division as to what result was announced on election night. The documentary proof was altogether in favor of the sitting member's right and of the correctness and genuineness of the returns. The tally of votes as counted was kept by one inspector, the two poll-clerks and by two witnesses of these, those of the inspectors (the chairman of the board) and of one poll-clerk and of one witness fully sustained the return and were clear and intelligible on their face, while of the other two, one was confessedly erroneous and the other was unintelligible without verbal explanation.

The trifling circumstances relied upon to show the alleged fact of alteration and forgery were insufficient at best and were duly explained. Reluctant as the undersigned are to disagree with the majority of the committee, they cannot but feel that to set at naught the regular returns and certificates of election and to deprive a member of his seat upon such flimsy and unreliable testimony would be to establish a most dangerous precedent. We therefore dissent from the majority report and state that, in our opinion, the sitting member, Mr. Curran, was duly elected and should retain his seat. We cannot close this report without calling attention to the following clause of the majority report: "The evidence of all the parties present at the canvass of the result after closing of the polls at the said eastern district of the Ninth ward, shows that the canvass proceeded without disagreement or question of dispute over the result announced on member of Assembly which was:

Curran .....	336
Braman .....	183"

This clause is calculated to deceive, although probably not designed to do so.

It is true that the testimony is undisputed that "the canvass proceeded without disagreement or question of dispute over the result announced on Member of Assembly;" but it is not true that by "the evidence of all the parties present," that announcement or count was for

Curran .....	336
Braman .....	183

But in our opinion the decided weight of evidence shows that the announcement or count was as actually returned, and as stated—for Curran, 366, and for Braman, 153, and that Mr. Curran was duly elected.

We, therefore, recommend the adoption of the following resolution:

*Resolved*, That Edward Curran is entitled to the seat now occupied by him on the floor of this Assembly as member of Assembly, from the Fourth district of the county of Albany.

LUKE F. COZANS.  
W. L. ROCKWELL.

Mr. Alvord called for a division of the question.

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Speaker then announced the question to be on substituting the minority for the majority report.

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the negative.

{ AYES 50 }  
{ NOES 68 }

Those who voted in the affirmative, were

Alvord	Corsa	Husted	Santee
Backenstose	Cowdin	Lang	Skillman
Baker	Fay	Marvin	Skinner
S. Baldwin	Fish	McFalls	Smith
M. L. Baldwin	Gallagher	McGraw	Spicer
Barnes	Gere	McKee	Stephenson
Billings	J. G. Graham	Moody	Suydam
Bowen	Hammond	Morey	Thistlethwaite
G. M. Case	Hayes	Orr	Valentine
T. A. Case	Hepburn	Peck	Waddell
Clapp	Herbst	Post	Wickes
Clark	Hodges	Potter	Williams
Corbett	Hogeboom		

Those who voted in the negative, were

Benedict	Dimond	Lyon	Rooney
Berrigan	Ecclesine	Maher	Ruggles
Bissell	Filkin	Maynard	Sager
Bradley	Flecke	McGroarty	Sanders
Brick	Floyd-Jones	Mitchell	Shanley
Brill	Galvin	Moller	Sheldon
J. H. Brown	Gilbert	Nachtmann	Sliter
J. S. Brown	Grady	Neilson	Spinola
Bulmer	J. S. Graham	Niven	Stein
Burns	Gulick	Noyes	Stone
E. Case	Hamilton	O'Hare	Tabor
Childs	Healy	Piper	Taylor
Coulter	Herrick	Proper	Tighe
Cozans	Holahan	Purdy	Webb
Crowley	Langbein	Rice	Weiant
Davenport	Langner	H. H. Rockwell	Welsh
Dillmeier	Longyear	W. L. Rockwell	Wemple

Mr. Peck moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion to substitute the minority report, and it was determined in the negative.

{ AYES 56 }  
{ NAYS 64 }

Those who voted in the affirmative, were

Benedict	Dillmeier	Maher	W. L. Rockwell
Berrigan	Dimond	Maynard	Rooney
Bissell	Ecclesine	McGroarty	Ruggles



Bradley	Flecke	Mitchell	Sager
Brick	Floyd-Jones	Moller	Sanders
Brill	Galvin	Nachtmann	Shanley
J. H. Brown	Grady	Neilson	Sliter
Bulmer	Hamilton	Niven	Spinola
Burns	Healy	O'Hare	Stein
Childs	Herrick	Piper	Stone
Coulter	Holahan	Proper	Tabor
Cozans	Langner	Purdy	Tighe
Crowley	Longyear	Rice	Weiant
Davenport	Lyon	H. H. Rockwell	Wemple

Those who voted in the negative, were

Alvord	Cowdin	Husted	Skillman
Backenstose	Fay	Lang	Skinner
Baker	Filkin	Langbein	Smith
S. Baldwin	Fish	Marvin	Speaker
M. L. Baldwin	Gallagher	McFalls	Spicer
Barnes	Gere	McGraw	Stephenson
Billings	Gilbert	McKee	Suydam
Bowen	J. G. Graham	Moody	Taylor
J. S. Brown	J. S. Graham	Morey	Thistlethwaite
E. Case	Gulick	Noyes	Valentine
G. M. Case	Hammond	Orr	Waddell
T. A. Case	Hayes	Peck	Webb
Clapp	Hepburn	Post	Welsh
Clark	Herbst	Potter	Wickes
Corbett	Hodges	Santee	Williams
Corsa	Hogeboom	Sheldon	Winch

Mr. Speaker then put the question whether the House would agree to the report of the committee, and it was determined in the affirmative.

{ AYES 64 }  
{ NOES 56 }

Those who voted in the affirmative, were

Alvord	Cowdin	Husted	Skillman
Backenstose	Fay	Lang	Skinner
Baker	Filkin	Langbein	Smith
S. Baldwin	Fish	Marvin	Speaker
M. L. Baldwin	Gallagher	McFalls	Spicer
Barnes	Gere	McGraw	Stephenson
Billings	Gilbert	McKee	Suydam
Bowen	J. G. Graham	Moody	Taylor
J. S. Brown	J. S. Graham	Morey	Thistlethwaite
E. Case	Gulick	Noyes	Valentine
G. M. Case	Hammond	Orr	Waddell
T. A. Case	Hayes	Peck	Webb
Clapp	Hepburn	Post	Welsh
Clark	Herbst	Potter	Wickes
Corbett	Hodges	Santee	Williams
Corsa	Hogeboom	Sheldon	Winch

Those who voted in the negative, were

Benedict	Dillmeier	Maher	W. L. Rockwell
Berrigan	Dimond	Maynard	Rooney

Bissell	Ecclesine	McGroarty	Ruggles
Bradley	Flecke	Mitchell	Sager
Brick	Floyd-Jones	Moller	Sanders
Brill	Galvin	Nachtmann	Shanley
J. H. Brown	Grady	Neilson	Sliter
Bulmer	Hamilton	Niven	Spinola
Burns	Healy	O'Hare	Stein
Childs	Herrick	Piper	Stone
Coulter	Holahan	Proper	Tabor
Cozans	Langner	Purdy	Tighe
Crowley	Longyear	Rice	Weiant
Davenport	Lyon	H. H. Rockwell	Wemple

On motion of Mr. Husted, at 11 o'clock and 55 minutes, the House adjourned.

### WEDNESDAY, FEBRUARY 28, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Mostyn.

The journal of yesterday was read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to release to certain charitable institutions the interest of the people of the State of New York, in certain personal property formerly of James Kelly of the city of New York, deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to define and punish embezzlement by executors, administrators, guardians and trustees," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act further to amend chapter 167 of the Laws of 1860, entitled 'An act in relation to preferred causes in the Supreme Court and Court of Appeals,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Senate returned the bill entitled as follows:

"An act to amend chapter 171 of the Laws of 1857, entitled 'An act to revise, amend and consolidate the laws in relation to the village of Norwich, in the county of Chenango,' passed March 23, 1857, and other acts amendatory thereof."

*Ordered*, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows:

"An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction.'"

*Ordered*, That the Clerk deliver said bill to the Governor.

Mr. Speaker announced the appointment of Mr. Berrigan, of New York, on the committees on federal relations and trade and manufactures;

Mr. Benedict, of Orange, on the committees on the affairs of villages and Indian affairs, and Mr. Braman, of Albany, on the committees on engrossed bills and canals.

Mr. Webb offered for the consideration of the House, a privileged resolution, in the words following:

*Whereas*, It has been asserted by a member of this House that he, the said member, has been approached by parties interested in certain proposed legislation with the offer of money, intended to influence his action in reference thereto; therefore,

*Resolved*, That the committee on privileges and elections be directed to examine into the facts in the case and to report to this House within ten days, and that they be empowered to send for persons and papers.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. H. H. Rockwell, Int. No. 523, entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the city of Elmira,' passed May 17, 1875," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. H. H. Rockwell, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Corsa	Keator	Ruggles
Backenstose	Coulter	King	Sager
Baker	Cowdin	Lang	Sanders
S. Baldwin	Cozans	Langbein	Santee
M. L. Baldwin	Crowley	Langner	Sheldon
Barnes	Davenport	Longyear	Skillman
Benedict	Dillmeier	Lyon	Skinner
Berrigan	Dimond	Marvin	Sliter
Billings	Ecclesine	Maynard	Spicer
Billington	Floyd-Jones	McGraw	Stein
Bissell	Gallagher	McGroarty	Stephenson
Bowen	Galvin	Moody	Suydam
Braman	Gilbert	Nachtmann	Taylor
Brick	J. S. Graham	Niven	Thistlethwaite
J. H. Brown	Gulick	Noyes	Tighe
J. S. Brown	Hamilton	Orr	Valentine
E. Case	Hammond	Peck	Waddell
G. M. Case	Hayes	Piper	Weiant
T. A. Case	Hepburn	Potter	Wickes
Childs	Herbst	H. H. Rockwell	Williams
Clapp	Hodges	W. L. Rockwell	Winch
Corbett	Hogeboom		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Wickes, and by unanimous consent, the committee of the whole were discharged from the further consideration of the Senate bill entitled "An act to amend chapter 125 of the Laws of 1874, entitled 'An act to provide for the establishment of a system of graded schools in the village of Ithaca,'" and said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dimond	Maynard	Sheldon
Backenstose	Fay	McGraw	Skillman
S. Baldwin	Fish	McGroarty	Skinner
M. L. Baldwin	Gallagher	McKee	Sliter
Barnes	Galvin	Moody	Speaker
Benedict	Gilbert	Moore	Spinola
Berrigan	J. S. Graham	Morey	Stein
Bowen	Gulick	Nachtmann	Stephenson
Braman	Hammond	Neilson	Stone
J. H. Brown	Hepburn	Niven	Suydam
J. S. Brown	Hodges	Orr	Taylor
E. Case	Humphrey	Piper	Thistlethwaite
G. M. Case	Husted	Post	Tighe
T. A. Case	Keator	Potter	Valentine
Clapp	Lang	Proper	Waddell
Clark	Langbein	Rice	Webb
Corbett	Langner	H. H. Rockwell	Weiant
Corsa	Longyear	W. L. Rockwell	Wickes
Cowdin	Lyon	Sager	Williams
Crowley	Marvin	Santee	Winch
Dillmeier			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

By unanimous consent,

Mr. Bowen, from the committee on internal affairs, to which was referred the bill introduced by Mr. Bowen, Int. No. 539, entitled "An act to extend the time for the collection of taxes in the town of Plattsburgh, in the county of Clinton," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Bowen, from the committee on internal affairs, to which was referred the bill introduced by Mr. Bowen, Int. No. 453, entitled "An act to incorporate the Fire Department of the village of Plattsburgh," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. T. A. Case introduced a bill entitled "An act to extend the limits of Union Free School District No. 1, of the town of Ellicott, Chautauqua county, and to authorize the board of education to employ a superin-

tendent and fix the time of holding their annual school meeting," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

By unanimous consent,

Mr. Langbein introduced a bill entitled "An act in relation to counter-signing warrants for payments from the treasury of the city of New York," which was read the first time, and by unanimous consent, was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Sheldon introduced a bill entitled "An act for the relief of the De Ruyter Religious Society, and for the repair and preservation of the Union church at De Ruyter, Madison county, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Alvord moved that the special order of the day be laid on the table for the purpose of taking up the orders of business of introduction of bills and report of standing committees.

Mr. Speaker put the question whether the House would agree to said motion; and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. J. S. Brown introduced a bill entitled "An act to exempt Cayuga lake from the provisions of existing laws relating to the preservation of fish," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Mr. H. H. Rockwell introduced a bill entitled "An act to remedy the evils consequent upon the destruction by the great Chicago fire, of any public records of Cook county in the State of Illinois," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Gilbert introduced a bill entitled "An act to authorize the Ogdensburg and Lake Champlain Railroad Company to issue preferred stock," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. McGroarty introduced a bill entitled "An act for the protection of Prospect Park, in the county of Kings, and the entrances to the same used by the public for driving, and prohibiting the use of steam or other mechanical appliances as a motive power upon any of the boundaries thereof, or entrances thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act in relation to certain assessments for sewers in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Sheldon introduced a bill entitled "An act to amend chapter 224 of the Laws of 1874, entitled 'An act to repeal chapter 440 of the Laws of 1873, entitled An act requiring commissioners of highways to act as inspectors of plank-roads and turnpikes, so far as the same relates to the counties of Clinton, Chenango, Seneca, Queens, Orange, Essex, Cayuga, Madison and Steuben, so as to exempt the county of Madison from said repealing act,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Stein introduced a bill entitled "An act to amend an act to incorporate the members of the New York Institution for the Instruction of the Deaf and Dumb, passed April 15, 1817, with amendments thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Flecke introduced a bill entitled "An act to provide for the retiring of policemen and firemen in the city and county of New York, and to provide employment for such retired policemen and firemen in certain positions in the courts and public departments of said city and county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Hayes introduced a bill entitled "An act to amend section 2 of chapter 257 of the Laws of 1875, entitled 'An act to repeal sections 6, 8, 9, 10, 11, 12, 13 and 15, and the preamble of chapter 864 of the Laws of 1868, entitled An act to authorize the drainage of marsh lands, passed June 9th, 1868; and, also, chapter 282 of the Laws of 1869, entitled An act to amend an act entitled An act to authorize the drainage of marsh lands, passed April 22, 1869, and for the repayment to said marsh land company of moneys paid by them into the treasury of the State, in pursuance of said chapter 864 of the Laws of 1868,' passed May 8, 1875, in order to provide for the payment of the judgment creditors of said company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Alvord introduced a bill entitled "An act to amend chapter 135 of the Laws of 1876, entitled 'An act to authorize plank-road and turn-pike companies to extend their charter or corporate existence,' passed April 21, 1876," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. J. G. Graham introduced a bill entitled "An act to amend section 23 of an act entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors,' passed April 16, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Brick introduced a bill entitled "An act to release the right, title and interest of the people of the State of New York in and to the proceeds of sale of certain real estate in the town of Middletown, county of Richmond, to Phillepena Schworm, widow of Bernard Schworm, deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

Also, a petition on the same subject, which was read and referred to the same committee.

Mr. Gulick introduced a bill entitled "An act to amend an act entitled 'An act to amend an act entitled An act to consolidate and amend the several acts relating to the village of Watkins, and to enlarge the powers of the corporation of said village, passed April 3, 1861,' passed April 12, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Gere introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the Grand Army of the Republic Soldiers' Home of the State of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia.

Mr. Thistlethwaite introduced a bill entitled "An act in relation to interest upon short time loans," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Moller introduced a bill entitled "An act to incorporate the Mount Pleasant Water-works Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to amend chapter 818 of the Laws of 1868, entitled 'An act to incorporate the village of Port Chester,' passed May 14, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, a bill entitled "An act to repeal chapter 583 of the Laws of 1869, entitled 'An act relative to the improvement of Mamaroneck harbor and for the promotion of the public health,' passed May 5, 1869," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Also, a bill entitled "An act to provide for the laying out of a plot of ground in the village of White Plains, county of Westchester, and for the erection of a monument commemorating the battle of White Plains, fought October 28, 1776," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, a bill entitled "An act to amend chapter 68 of the Laws of 1871, entitled 'An act for the incorporation of private and family cemeteries,' passed March 6, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Husted introduced a bill entitled "An act to amend chapter 628 of the Laws of 1857, entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, a bill entitled "An act further to amend chapter 379 of the Laws of 1848, entitled 'An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Taylor introduced a bill entitled "An act to amend chapter 252 of the Laws of 1857, entitled 'An act to incorporate the Genesee Camp Ground Association,' passed April 6, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Herrick introduced a bill entitled "An act in relation to repaving and reconstructing drain in Hudson avenue, in the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Hepburn, from the committee on the judiciary, to which was referred the bill introduced by Mr. Fish, Int. No. 380, entitled "An act to legalize the acts of Charles C. Wakeley as notary public," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hepburn, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to amend chapter 586 of the Laws of 1867, entitled 'An act to enable the board of supervisors of the county of New York to raise money by tax for the use of the corporation of the city of New York, and in relation to the expenditure thereof, and to provide for the auditing and payment of unsettled claims against said city, and in relation of actions at law against said corporation,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hepburn, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to amend chapter 164 of the Laws of 1875, entitled 'An act for the relief of the grandchildren of Samuel F. Pratt, late of the city of Buffalo, deceased,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hepburn, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to amend section 16 of title 3, of chapter 6 of part 1 of the Revised Statutes, entitled 'Of the mode of notifying general and special elections,'" reported in favor of the passage of the same, with an amendment, the title amended so as to read "An act to amend section 16, article 3, title 3 of chapter 6 of part 1 of the Revised Statutes, entitled 'Of the mode of notifying general and special elections,'" which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hepburn, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to amend chapter 379 of the Laws of 1860, entitled 'An act relating to actions, legal proceedings and claims against the mayor, aldermen and commonalty of the city of New York,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hepburn offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the committee on the judiciary be discharged from the further consideration of Senate bill entitled "An act to amend chapter 277 of the Laws of 1870, entitled 'An act to amend an act entitled An act to amend an act entitled An act for the benefit of married women in insuring the lives of their husbands,'" and that the same be referred to the committee on insurance.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Flecke, Int. No. 333, entitled "An act to provide for the completion of county buildings in the city and county of New York, and abolishing the present commissioners of the new county court-house," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred



the bill introduced by Mr. Fish, Int. No. 448, entitled "An act for the reduction of the salaries and compensation of certain officers and clerks in the cities of this State," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Sloan, Int. No. 527, entitled "An act to amend and make addition to chapter 463, Laws of 1860, entitled 'An act to revise the charter of the city of Oswego and the acts amendatory thereof,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Hayes, Int. No. 238, entitled "An act to authorize the board of police of the police department of the city of New York to establish a retiring pension fund for members of the police force thereof," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Gallagher, Int. No. 519, entitled "An act authorizing the common council of the city of Buffalo to make an appropriation for the deficiency in the poor fund of 1876 of said city," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Suydam, Int. No. 35, entitled "An act to repeal an act entitled 'An act to widen and improve North Second street in the city of Brooklyn,' passed April 19, 1871," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

(Messrs. Fish and Mitchell dissented.)

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Cowdin, Int. No. 526, entitled "An act to reduce the expenses of the government of the city of New York," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was recommended the bill introduced by Mr. Fish, Int. No. 482, entitled "An act in relation to the salaries of the officers of the city of Brooklyn," reported in favor of the passage of the same, with amendments, retaining its place on general orders, which report was agreed to.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill entitled "An act to amend chapter 144 of the Laws of 1872, entitled 'An act to amend the charter of the city of Albany,' passed March 16, 1870, and the several acts amendatory thereof," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

(Messrs. McGroarty, Mitchell and Tabor dissented.)

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Stephenson, Int. No. 297, entitled "An act to amend an act to amend the charter of the city of Brooklyn, and the various amendments thereof, passed June 28, 1873, and to further amend the charter of the city of Brooklyn, as amended by an act for that purpose, passed June 1, 1874, and as further amended by an act for that

purpose entitled 'An act to amend the charter of the city of Brooklyn,' being the act for that purpose passed June 28, 1873, and the act for that purpose passed June 1, 1874, passed June 21, 1875," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

(Messrs. Mitchell, McGroarty and Tabor dissented.)

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill entitled "An act to authorize the county of Kings to raise moneys to continue the relief supplies to the out-door poor," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. McGroarty, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davenport	Langbein	Potter
S. Baldwin	Dillmeier	Langner	Proper
M. L. Baldwin	Filkin	Longyear	Rice
Barnes	Fish	Lyon	H. H. Rockwell
Berrigan	Flecke	Maber	W. L. Rockwell
Billings	Floyd-Jones	Marvin	Sanders
Billington	Gallagher	McFalls	Santee
Bissell	Galvin	McGraw	Sheldon
Bradley	Gere	McGroarty	Skinner
Braman	Gilbert	McKee	Spicer
Brill	J. G. Graham	Mitchell	Stephenson
J. H. Brown	Gulick	Moody	Stone
E. Case	Hamilton	Moore	Thistlethwaite
G. M. Case	Hayes	Morey	Tighe
T. A. Case	Hepburn	Nachtmann	Valentine
Clapp	Herbst	Niven	Waddell
Clark	Hodges	Noyes	Webb
Corbett	Humphrey	Peck	Wemple
Corsa	Keator	Piper	Williams
Cozans	Lang	Post	Winch
Crowley			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

Mr. Gilbert, from the committee on railroads, to which was referred the bill introduced by Mr. McGroarty, Int. No. 289, entitled "An act to repeal chapter 703 of the Laws of 1873, entitled 'An act to authorize the extension of railroad tracks on Buffalo avenue, and other streets and avenues in the city of Brooklyn and county of Kings,'" reported in favor of the passage of the same, with amendments, the title amended so as to read "An act to amend chapter 703 of the Laws of 1873, entitled 'An act to authorize the extension of railroad tracks on Buffalo avenue and other streets and avenues in the city of Brooklyn and county of Kings,' passed June 10, 1873," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr. E. Case, Int. No. 416, entitled "An act to amend chapter 10 of the Laws of 1859, entitled 'An act to amend an act entitled An act to revise and consolidate the several acts relating to the village of Whitesborough,' passed February 12, 1859," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Clark, Int. No. 473, entitled "An act to authorize the trustees of the village of Portageville, county of Wyoming, to raise money to pay indebtedness," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Potter, Int. No. 471, entitled "An act to amend chapter 317 of the Laws of 1867, and chapter 295 of the Laws of 1868, entitled 'An act to amend an act entitled An act to incorporate the village of Cambridge,' passed April 16, 1866, and amended April 10, 1867, and April 22, and May 9, 1868," reported in favor of the passage of the same, with amendments, which report was agreed to.

On motion of Mr. Potter, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Clark	Husted	Sager
Backenstose	Corbett	Keator	Sanders
Baker	Corsa	Langbein	Santee
S. Baldwin	Cowdin	Longyear	Skillman
M. L. Baldwin	Crowley	Maher	Skinner
Barnes	Dillmeier	Marvin	Sliter
Billings	Fay	McFalls	Speaker
Billington	Filkin	McGraw	Spicer
Bissell	Flecke	McGroarty	Stephenson
Bowen	Floyd-Jones	McKee	Tabor
Bradley	Gallagher	Moody	Taylor
Braman	Gere	Morey	Thistlethwaite
Brick	Gilbert	Niven	Tighe
Brill	J. S. Graham	Noyes	Waddell
J. H. Brown	Gulick	Orr	Webb
J. S. Brown	Hamilton	Peck	Welsh
Bulmer	Hammond	Piper	Wemple
E. Case	Hepburn	Potter	Wickes
G. M. Case	Hodges	Rice	Williams
T. A. Case	Humphrey	H. H. Rockwell	Winch
Clapp			

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Moody, and by unanimous consent, the bill entitled "An act to extend the charter of the Chenango Canal Bridge Company, in the county of Broome," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 {  
{ NOES 00 {

Those who voted in the affirmative, were

Alvord	Corsa	Langbein	H. H. Rockwell
Backenstose	Cowdin	Langner	W. L. Rockwell
Barnes	Crowley	Longyear	Ruggles
Benedict	Fay	Maher	Sager
Billings	Filkin	Marvin	Skinner
Billington	Floyd-Jones	McFalls	Sliter
Bissell	Galvin	McGraw	Spicer
Bowen	Gere	McGroarty	Stein
Bradley	Gulick	McKee	Stone
Braman	Hamilton	Moody	Suydam
Brick	Hammond	Morey	Tabor
Brill	Hayes	Nachtmann	Taylor
J. H. Brown	Herrick	Niven	Thistlethwaite
J. S. Brown	Herbst	Orr	Valentine
Bulmer	Hodges	Peck	Waddell
E. Case	Humphrey	Piper	Webb
T. A. Case	Keator	Post	Weiant
Clapp	King	Potter	Wemple
Clark	Lang	Proper	Winch
Corbett			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Speaker presented a memorial of the common council of the city of New York for the passage of an act to authorize the appointment of 500 additional commissioners of deeds for said county; which was read and referred to the committee on the judiciary.

By unanimous consent,

Mr. E. Case presented a petition of the faculty of Hamilton college for the completion of the State topographical survey; which was read and referred to the committee on ways and means.

The privileges of the floor were granted to the Hon. Mr. Balch.

By unanimous consent,

Mr. Tabor presented a petition of citizens of Erie county for the opening and removing obstructions from the State ditches; which was read and referred to the committee on canals.

By unanimous consent,

Mr. Herrick presented a remonstrance of the Society for the Reformation of Juvenile Delinquents in the city of New York; which was read and referred to the committee on State charitable institutions.

By unanimous consent,

Mr. Spicer presented two several petitions relative to salaries of county

judges and surrogate in Jefferson county; which was read and referred to the committee on ways and means.

By unanimous consent,

Mr. Gilbert presented a petition from St. Regis Tribe of Indians, asking for an appropriation for making a road on the east side of the St. Regis river; which was read and referred to the committee on ways and means.

By unanimous consent,

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Mitchell, Int. No. 308, entitled "An act to amend section 80 of chapter 385 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Speaker announced the special order of the day, being the bill entitled "An act making appropriations for the support of government."

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act making appropriations for the support of government."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. McKee, from said committee, reported progress on said bill, and asked leave to sit again.

The question being on granting leave,

Mr. Speaker put the question whether the House would grant said request, and it was determined in the affirmative.

Mr. Husted moved that said bill be made a special order for this evening, and a special session be held for that purpose.

Mr. Alvord moved to amend by striking out the words "this evening" and inserting in lieu thereof the words "to-morrow morning immediately after the reading of the journal, and said session commence at 10 o'clock."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Alvord, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Husted, as amended, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The Senate returned the bill entitled "An act for the relief of James R. Davies, William P. Mitchell, Michael Cregan, Henry G. Leask, John E. McGowan, Robert G. McCord and Bernard C. Ryan, as clerks and assistant clerks of the district courts in the city of New York," with a message informing that they had passed the same, with the following amendments:

Strike out all of section one down to and including the word "claims" in line fifty of engrossed bill, and insert in lieu thereof the following:

SECTION 1. The comptroller of the city of New York is hereby authorized to examine the claim of any and every person claiming to have acted as the clerk or the assistant clerk of any district court, in the city of New York, during any portion of the year one thousand eight hundred and seventy-six, for services rendered by him as such clerk or assistant clerk, and upon the production to said comptroller of a certificate of appointment of such person as such clerk or assistant clerk by the justice holding the district court in which such services were rendered, a duly certified copy of the official bond of such person as such clerk or assistant clerk, and the certificate of the clerk of the city

and county of New York, of the filing thereof in his office, and the certificate of the said justice of the performance of said services by said person as clerk or assistant clerk, showing that said services were performed in the court held by said justice, and when and for how long said services were performed, accompanied by the affidavit of such person verifying the truth of the facts stated in said last mentioned certificate, the said comptroller shall audit and certify the amount of such claim for services rendered as aforesaid during any part of the year eighteen hundred and seventy-six, at the rate established by law as the compensation for the services of the clerks and assistant clerks of the district courts in the city of New York at the time of the rendition of such services, and report the same to the board of estimate and apportionment of said city, who shall thereupon make an appropriation for the payment of the amount thereof, for which amount the said comptroller shall thereupon draw his warrant upon the chamberlain of the city of New York, and deliver the same to the person acting as such clerk or assistant clerk as aforesaid in satisfaction of his said claim.

Line 54, after the word "affirmation," insert the words "by each claimant."

Line 55, strike out the word "said" and insert the words "him as such." Strike out the letter "s" from the word "clerks." Strike out the word "and," last occurring, and insert the word "or."

Line 56, strike out the words "in their official capacity."

Line 57, strike out the word "thereof" and insert in lieu thereof the words "so retained."

Amend the title so as to read "An act for the relief of certain persons claiming to have acted as clerks and assistant clerks of the district courts in the city of New York."

Mr. Husted moved to lay said message on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The hour of 2 o'clock having arrived, the House adjourned.

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## THURSDAY, MARCH 1, 1877.

The House met pursuant to adjournment.

No clergyman present.

The journal of yesterday was read and approved.

The privileges of the floor were granted to the Hons. Messrs. Chas. A. Peabody, Jacob Worth and Joseph Fallon.

By unanimous consent,

Mr. Corsa introduced a bill entitled "An act for the better protection of children," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to authorize the city of Utica to borrow money for the purpose of erecting a police station-house and lock-up therein, and to make necessary repairs to the city hall building," which was read the first

time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act relating to the office of register of deeds in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Concurrent resolution proposing an amendment to article 6 of the Constitution, by the addition of a new section to be called section 29, which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act entitled 'An act to enable the commissioners of the alms-house of the city of Kingston to borrow a sum not exceeding \$10,000, and to provide for the payment thereof,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act entitled 'An act to regulate the reinsurance of the policy obligations of life insurance companies,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act entitled 'An act to provide for the collection of unpaid city taxes in the city of Syracuse,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

A message from the Senate was received and read informing of concurrence in the passage of the bill entitled as follows:

"An act to amend section 29 of article 3, chapter 6, title 6 of part 1 of the Revised Statutes, relating to the compensation of electors of President and Vice-President of the United States."

*Ordered*, That the Clerk deliver said bill to the Governor.

Mr. Grady rose to a question of privilege and called the attention of the House to a statement of the New York Times with reference to his remarks on the Braman-Curran contested election case and the subsequent clearing of the galleries.

Mr. Speaker announced the following change in an appointment: Henry Sodam, as page, commencing March 1, 1877, in place of Henry Suydam.

Leave of absence was granted to Mr. Noyes for the day.

The privileges of the floor were granted to the Hon. W. W. Cook.

Mr. Speaker announced the special order of the day, being the bill entitled "An act making appropriations for the support of government."

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act making appropriations for the support of government."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. McKee, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Husted moved that the committee of the whole be discharged from the further consideration of said bill and the same be ordered to a third reading, with the amendments adopted in committee of the whole.

Mr. Husted moved to lay said motion on the table.

Mr. Speaker put the question whether the House would agree to said motion to lay on the table, and it was determined in the affirmative.

Mr. Husted moved that the time of this session be extended for the purpose of introduction of bills and reports of standing committees.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Shannon introduced a bill entitled "An act authorizing and confirming a lease made by Benjamin Lewis and others, Seneca Indians, to George A. Berry, of the right to transmit fluids through a pipe over certain lands on the Allegany reservation, and authorizing said George A. Berry to use such lands for that purpose," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Skillman introduced a bill entitled "An act to authorize the county clerk of the county of Chenango to certify defective records and enter certain orders and judgments omitted to be entered by his predecessors in office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Williams introduced a bill entitled "An act to amend chapter 410 of the Laws of 1874, entitled 'An act to authorize towns and villages to provide a sinking fund for the payment of their bonded indebtedness,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Bowen introduced a bill entitled "An act to repeal chapter 640 of the Laws of 1870, entitled 'An act authorizing the construction of a highway from Chateaugay lake to Saranac and branches,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Crowley introduced a bill entitled "An act to amend chapter 849 of the Laws of 1872, entitled 'An act to incorporate the Buffalo Catholic Institute,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Sheldon introduced a bill entitled "An act in relation to policies of insurance hereafter issued to an inhabitant of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. E. Case introduced a bill entitled "An act to exempt Oneida county from the provisions and operation of chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plank-roads and turnpikes,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Also, a petition on the same subject, which was read and referred to the same committee.

Mr. Backenstose introduced a bill entitled "An act relative to the reporter of the Court of Appeals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. J. G. Graham introduced a bill entitled "An act amending an act entitled 'An act to authorize stockholders of railroad and plank-road companies to make payments upon mortgages in process of foreclosure against such companies, and thereupon to become interested in said mortgages,' passed June 30, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Davenport introduced a bill entitled "An act further to amend



chapter 450 of the Laws of 1847, entitled 'An act requiring compensation for causing death by wrongful act, neglect or default, as amended by chapter 78 of the Laws of 1870,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Floyd-Jones introduced a bill entitled "An act to extend the charter of the Glen Cove Mutual Insurance Company, passed March 29, 1837, as the same was modified and amended by chapter 40 of the Session Laws of the State of New York, passed February 19, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Ruggles introduced a bill entitled "An act to reduce the salary of the county judge of the county of Steuben," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Husted introduced a bill entitled "An act to amend chapter 395 of the Laws of 1859, entitled 'An act in relation to the colonial history of the State, and the natural history thereof,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Moller introduced a bill entitled "An act to release the estate, right, title and interest of the people of the State of New York of, in and to certain real estate in the city of New York to William T. Colboon," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

Mr. Coulter introduced a bill entitled "An act to provide for the determination and payment of claims for goods, merchandise and materials furnished, and labor performed, in fitting up and furnishing armories and drill rooms in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Healy introduced a bill entitled "An act to amend chapter 656 of the Laws of 1874, entitled 'An act relative to the publication of judicial proceedings and legal notices in New York city and county,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Orr introduced a bill entitled "An act to amend an act entitled 'An act for the more effectual protection of the property of married women,' passed April 7, 1848, and the act amending the same passed April 11, 1849," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Weiant introduced a bill entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. J. S. Graham introduced a bill entitled "An act to amend chapter 319 of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies,' passed April 12, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Also, a bill entitled "An act to amend an act to suppress intemperance

and to regulate the sale of intoxicating liquors,' passed April 16, 1857, and amended June 23, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent,

Mr. Fish offered for the consideration of the House a resolution, in the words following :

*Resolved*, That Assembly bill No. 168, introduced by Mr. Fish, entitled "An act to secure better public administration within the city and county of New York," be recommitted to the committee on affairs of cities, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

A message from the Senate was received and read, requesting the concurrence of the Assembly to a resolution in the words following :

*Resolved* (if the Assembly concur), That a respectful message be sent to his excellency the Governor requesting the return of Senate bill entitled "An act to authorize the county of Kings to raise moneys to continue relief supplies to the out-door poor," for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have passed the same.

Mr. Speaker presented a communication from the Comptroller, in the words following :

STATE OF NEW YORK—CANAL DEPARTMENT, }  
ALBANY, March 1, 1877.

*To the Honorable the Speaker of the Assembly :*

At a meeting of the Canal Board, held February 28, 1877, the following proceedings were had, viz :

"The Comptroller, of the committee appointed February 20th, to report to this Board a plan to provide the necessary funds for ordinary repairs, preparatory to opening the canals for the present year, in lieu of a report, submit the following resolution :

"*Resolved*, That the Legislature be requested to authorize by law, as early as practicable, the temporary transfer of \$300,000 from the appropriation of \$400,000, under section 5, of chapter 425 of the Laws of 1876, for the purpose of enabling the State officers to repair and open the canals the approaching spring, the tolls collected thus far being insufficient, the balance being \$65,207.34, to meet the appropriation for the ordinary repairs.

"The said sum of \$300,000 temporarily appropriated, to be replaced from the revenues for current fiscal year.

"F. P. OLCOTT, *Comptroller*.

"February 28, 1877.

"I certify the foregoing to be a true copy of the original resolution adopted by the Canal Board, February 28, 1877, relative to the transfer of moneys for the purpose of preparing the canals for opening.

"G. W. SCHUYLER, *Auditor*."

Mr. Alvord offered in connection therewith a resolution, in the words following :

*Resolved* (if the Senate concur), That the sum of three hundred thou-

sand dollars, out of the sum of four hundred thousand dollars appropriated by section 5 of act chapter 425 of the Laws of 1876, for the deepening of the water way of the Erie canal, may be temporarily transferred by the Commissioners of the Canal Fund to the ordinary canal repair fund, for the purpose of enabling the State officers to repair and open the canals in the ensuing spring; the said sum of three hundred thousand dollars hereby temporarily appropriated shall be replaced in the original fund for deepening the water way of the Erie canal, from the revenues of the canals for the current fiscal year.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Fish offered for the consideration of the House a privileged resolution, in the words following:

*Resolved*, That the Speaker and Clerk of this House be and they are hereby directed to cause an examination to be made of all bills now on general orders, and such bills as may be reported from any standing committee, and, from time to time, submit a list to this House of such as are properly referable to the sub-committee of the whole, and the approval of the House of such list shall refer such bills to the sub committee of the whole with the same effect that separate resolutions now refer such bills.

Mr. Marvin moved to lay said resolution on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker and the Clerk presented the following bills as referred to the sub-committee of the whole:

G. O. 63, No. 93, "An act regulating the practice in the surrogate's court of the county of New York, respecting testimony taken in contested matters, and as to the issue of letters of guardianship to testamentary guardians."

G. O. 82, No. 112, "An act to establish a police district in the town of New Lots, and to provide for the government thereof."

G. O. 83, No. 113, "An act to amend chapter 335 of the Laws of 1871, entitled 'An act to authorize the appointment of a person to be public administrator in the county of Kings, and to determine the powers and duties of such officer.'"

G. O. 84, No. 114, "An act to amend an act entitled 'An act to amend section 19 of chapter 570 of the Laws of 1872, entitled An act to ascertain by proper proofs the citizens who shall be entitled to the right of suffrage in the State of New York, except in the city and county of New York, and the city of Brooklyn; and to repeal chapter 572 of the Laws of 1871, entitled An act to amend an act entitled An act in relation to elections in the city and county of New York,' passed June 23, 1873."

G. O. 88, No. 118, "An act to amend chapter 820 of the Laws of 1873, entitled 'An act to amend an act entitled An act to suppress intemperance and to regulate the sale of intoxicating liquors, passed April 16, 1857.'"

G. O. 89, No. 119, "An act to legalize and confirm the proceedings of the board of trustees of the village of Andes, in the county of Dela-

ware, in relation to the purchase of hydrants for the use of said village, and the creation of a debt for that purpose, and to provide for the payment thereof."

G. O. 104, No. 131, "An act to amend chapter 435 of the Laws of 1868, entitled 'An act to incorporate the village of Hamilton, in the county of Madison, and repeal its present charter,' and to repeal chapter 250 of the Laws of 1870, chapter 18 of the Laws of 1874, and chapter 142 of the Laws of 1875."

G. O. 106, No. 133, "An act to amend the Revised Statutes in relation to the laying out of public roads and the alteration thereof."

G. O. 109, No. 136, "An act to amend chapter 156 of the Laws of 1852, entitled 'An act to amend an act entitled An act to provide for the establishment of free schools in the village of Newburgh,' passed April 6, 1852, passed March 7, 1865."

G. O. 111, No. 137, "An act to amend chapter 348 of the Laws of 1860, entitled 'An act to secure to creditors a just division of the estates of debtors who convey to assignees, for the benefit of creditors,' as amended by chapter 56 of the Laws of 1875."

G. O. 125, No. 147, "An act authorizing the trustees of the village of Ballston Spa to issue bonds, to be known as extended water bonds, to pay a portion of the water bonds now outstanding of said village, maturing in the year 1877, and thereafter."

G. O. 96, No. 124, "An act to cancel and annul a bond executed and delivered to the city of Watertown by Byron D. Adsit, with sureties, dated January 6, 1874, and to release and discharge the said Byron D. Adsit and his sureties from all liability thereon."

G. O. 107, No. 134, "An act authorizing the supervisors and justices of the peace of the town of Avon, in the county of Livingston, to convey to the Avon Cemetery Association certain lands situate in the village of Avon."

Senate, G. O. 119, No. 43, "An act in regard to the powers of the associate rector of St. Luke's Memorial church, in the city of Utica, county of Oneida, and State of New York."

Senate, G. O. 133, No. 23, "An act to amend chapter 348 of the Laws of 1860, entitled 'An act to secure to creditors a just division of the estates of debtors who convey to assignees, for the benefit of creditors,' as amended by chapter 56, of the Laws of 1875."

G. O. 145, No. 159, "An act further to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,' passed April 26, 1871."

G. O. 160, No. 174, "An act entitled 'An act to authorize a recovery at law for certain printing done for, and stationery furnished to the boards of aldermen and assistant aldermen in the city of New York.'"

G. O. 165, No. 179, "An act to amend section 50 of article 3, title 1 of chapter 16 of the first part of the Revised Statutes, in relation to highways, amended by chapter 791 of the Laws of 1868, and by chapter 461 of the Laws of 1870."

G. O. 169, No. 183, "An act to amend chapter 329 of the Laws of 1871, being an act to amend chapter 800 of the Session Laws of 1866, relative to the taking of lands for the erection of school-houses, or making additions thereto."

G. O. 170, No. 184, "An act to amend chapter 555, Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,' passed May 2, 1864."

G. O. 175, No. 189, "An act to amend section 4 of chapter 398 of the Laws of 1876, entitled "An act to provide for the election and compensation of coroners in the county of Rensselaer."

G. O. 177, No. 191, "An act to amend chapter 279 of the Laws of 1833, entitled 'An act requiring mortgages of personal property to be filed in the town clerks' and other offices,' passed April 29, 1833."

G. O. 179, No. 193, "An act to confirm the acts of the trustees of the Raynettevill Cemetery Association, of North Potsdam, and to authorize the transfer of the remains of deceased persons buried in the grounds of such association to other grounds, and to authorize the sale and conveyance of the grounds abandoned."

G. O. 180, No. 194, "An act to amend chapter 69 of the Laws of 1847, entitled 'An act concerning the pilots of the channel of the East river, commonly called Hell Gate,' passed April 15, 1847, and the various acts amendatory thereof, passed March 12, 1860, March 14, 1865, April 16, 1868, and April 5, 1871."

G. O. 182, No. 196, "An act to amend chapter 101 of the Laws of 1862, entitled 'An act in relation to the support and custody of indigent insane persons of the county of Genesee.'"

Mr. Stein moved that the House do now take a recess until half-past seven o'clock this evening.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon, at 2 o'clock and 30 minutes, the House took a recess until half-past seven o'clock.

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### HALF-PAST SEVEN O'CLOCK.

The House again met.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act to amend chapter 497 of the Laws of 1874, entitled 'An act to amend the charter of the city of Poughkeepsie, and to consolidate with it other acts relating to said city,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

On motion of Mr. Husted, and by unanimous consent, the order of business, "reports of standing committees," was taken up.

The privileges of the floor were granted to Hon. Mr. Davidson.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Hayes, Int. No. 522, entitled "An act respecting the power of the Union Home and School for the education and maintenance of the children of our volunteers who are left unprovided for, to take and hold real and personal estate," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was recommitted the bill introduced by Mr. Piper, Int. No. 231, entitled "An act to amend chapter 767 of the Laws of 1872, entitled 'An act to establish the compensation of county judges and surrogates, pursuant to the fifteenth section of the amended sixth article of the Constitution,'"

(retaining its place on general orders), reported in favor of the passage of the same, with amendments, which report was agreed to.

Mr. Husted offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the committee on ways and means be discharged from the further consideration of the bill entitled "An act in relation to the payment of taxes in the city of New York," and that the same be referred to the committee on affairs of cities.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The privileges of the floor were granted to Mr. Edward Curran.

Mr. Gallagher, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Tabor, Int. No. 261, entitled "An act to amend chapter 559, the Laws of 1874, entitled 'An act to incorporate the Niagara Grand Island Bridge Company,' passed May 22, 1874," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gallagher, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Husted, Int. No. 412, entitled "An act to amend chapter 395 of the Laws of 1873, entitled 'An act to alter the system of repairing the highways,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gallagher, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Billings, Int. No. 381, entitled "An act to repeal section 1, chapter 626, Laws of 1853, relating to the assessment of highway labor along the line of plank and turnpike roads," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Webb, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Stephenson, Int. No. 346, entitled "An act to amend an act entitled 'An act authorizing Jonathan Preston to establish and continue a ferry across Deering's Harbor, from Greenport to Shelter Island, passed April 9, 1859,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Webb, from the committee on commerce and navigation, to which was referred the Senate bill entitled "An act further to amend chapter 320 of the Laws of 1872, entitled 'An act to amend an act in relation to the rates of wharfage, and to regulate piers, wharves, bulk-heads and slips in the cities of New York and Brooklyn,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. J. G. Graham, from the committee on insurance, to which was referred the bill introduced by Mr. Hayes, Int. No. 394, entitled "An act to prevent confusion in the names of insurance companies," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. McFalls, from the committee on public health, to which was referred the bill introduced by Mr. McGrouarty, Int. No. 267, entitled "An act to establish a State board of health," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. McFalls, from the committee on public health, to which was referred

the bill introduced by Mr. Flecke, Int. No. 485, entitled "An act for the better protection of human life and limb," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. McFalls, from the committee on public health, to which was referred the bill introduced by Mr. Gulick, Int. No. 31, entitled "An act to create a State board of health for the protection of life and health, and to prevent the spread of diseases in the State of New York," reported adversely thereto.

(Mr. McFalls dissented.)

The question being on agreeing to said report,

Mr. Gulick moved to disagree with the report of the committee, and that that motion lay on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Clark, from the committee on petitions of aliens, to which was referred the bill introduced by Mr. Webb, Int. No. 243, entitled "An act to release to the estate of Charles Doran, deceased, the right, title and interest of the people of the State of New York in and to certain real estate in the city of Poughkeepsie," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Clark, from the committee on petitions of aliens, to which was referred the bill introduced by Mr. Tabor, Int. No. 541, entitled "An act to release the interest of the people of the State of New York in certain lands of which Michael Schmitt died seized," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. McKee, from the committee on banks, to which was referred the bill introduced by Mr. Holahan, Int. No. 93, entitled "An act to provide a guarantee fund for the protection of depositors in savings banks," reported adversely thereto.

On motion of Mr. McKee, said report was laid on the table.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. McGroarty, Int. No. 508, entitled "An act to provide for the collection of unpaid assessments for the opening, regulating and grading Franklin avenue, in the towns of Flatbush and New Utrecht," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Husted, Int. No. 603, entitled "An act to amend chapter 395, entitled 'An act in relation to the Colonial History of the State, and the Natural History thereof,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the joint resolution introduced by Mr. Maynard, proposing an amendment to article 3, section 6 of the Constitution, reported the same for the consideration of the House.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Filkin, Int. No. 353, entitled "An act authorizing district attorneys to appoint each one person to act as con-

stable in the service of criminal process," reported adversely thereto, which report was agreed to.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Hamilton, Int. No. 470, entitled "An act in relation to primary elections in cities," reported adversely thereto, which report was agreed to.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Hepburn, Int. No. 106, entitled "An act fixing the compensation of county judge and surrogate in the county of St. Lawrence," reported adversely thereto, which report was agreed to.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Husted, Int. No. 413, entitled "An act to amend chapter 458 of the Laws of 1875, entitled 'An act to amend chapter 807 of the Laws of 1873, entitled An act concerning notaries public in the counties of Kings, Queens, Richmond, Westchester and Rockland; and in the city and county of New York, authorizing them to exercise the functions of their office therein,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Strahan, Int. No. 512, entitled "An act to authorize the appointment of policemen of district telegraph companies in the State of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Burns, Int. No. 444, entitled "An act in relation to the compensation of executors, administrators and trustees," reported adversely thereto, which report was agreed to.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Tighe, Int. No. 301, entitled "An act relating to the jail in the county of Kings," reported adversely thereto.

On motion of Mr. Strahan, said report was laid on the table.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Stephenson, Int. No. 332, entitled "An act to amend subdivision 1 of section 9 of article 2, title 4, chapter 6, part 1 of the Revised Statutes, in relation to elections and ballots," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to define and punish embezzlement by executors, administrators, guardians and trustees," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to amend chapter 692 of the Laws of 1866, entitled 'An act to amend an act fixing the fees of justices of the peace and constables in civil and criminal cases, and the fees of jurors and witnesses in justices' courts and for other purposes,'" reported in favor of the passage of the same, with amendments, the title amended so as to read "An act to amend chapter 692 of the Laws of 1866, entitled 'An act fixing the fees of justices of the peace and constables in civil and criminal cases, and the fees of jurors and witnesses in justices' courts



and for other purposes," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to release to certain charitable institutions the interest of the people of the State of New York in certain personal property, formerly of James Kelly, of the city of New York, deceased," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to legalize and confirm the official acts of Oliver G. Steele, Howard H. Baker and Edward L. Stevenson as real estate commissioners of the Young Men's Association of the city of Buffalo," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the Senate bill entitled "An act in relation to corporations or joint stock companies of other States, territories or Dominion of Canada," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the Senate bill entitled "An act in relation to proceedings in the surrogate's court of the county of Erie, and to the powers and jurisdiction of the surrogate thereof," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to amend section 4, title 5, chapter 20 of the first part of the Revised Statutes, entitled 'Of disorderly persons,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the committee on the judiciary be discharged from the further consideration of Assembly bill No. 395, introduced by Mr. Suydam, entitled "An act in relation to the rate of interest on taxes and assessments in the city of Brooklyn," and the same be referred to the committee on ways and means.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Strahan offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the Senate bill No. 26, entitled "An act to amend chapter 586, of the Laws of 1867, entitled 'An act to enable the board of supervisors of the county of New York to raise money by tax for the use of the corporation of the city of New York, and in relation to the expenditure thereof, and for the auditing and payment of unsettled claims against said city,'" also, the Senate bill No. 27, entitled "An act to amend chapter 379 of the Laws of 1866, entitled 'An act relating to actions, legal proceedings and claims against the mayor, aldermen and commonalty of the city of New York,'" be recommitted to the committee on the judiciary for further hearing, with power to report at any time.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Husted moved to take from the table the motion to discharge the committee of the whole from the further consideration of the bill entitled "An act making appropriations for the support of government," and that the same be ordered to a third reading, as amended in committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Ruggles moved to amend said bill by striking out lines 413, 414, 415, being the words following: "For the State Normal and training schools at Buffalo, Brockport, Cortland, Fredonia, Geneseo, Oswego and Potsdam, for their maintenance, to each of them, eighteen thousand dollars," the same having been offered in committee of the whole.

Mr. Gallagher moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Ruggles, and it was determined in the negative.

{ AYES 16 }  
{ NOES 99 }

Those who voted in the affirmative, were

Backenstose	Ecclesine	Piper	H. H. Rockwell
Benedict	Grady	Proper	Ruggles
Bradley	Nachtmann	Purdy	Sanders
Burns	Peck	Rice	Suydam

Those who voted in the negative, were

Alvord	Davenport	Lang	Shanley
Baker	Dillmeier	Langbein	Shannon
S. Baldwin	Dimond	Langner	Sheldon
Barnes	Fay	Longyear	Skillman
Berrigan	Filkin	Lyon	Skinner
Billings	Fish	Maher	Smith
Billington	Flecke	Marvin	Speaker
Bissell	Floyd-Jones	Maynard	Spicer
Bowen	Gallagher	McFalls	Spinola
Braman	Galvin	McGraw	Stein
Brick	Gere	McGroarty	Stephenson
J. H. Brown	Gilbert	McKee	Strahan
J. S. Brown	J. G. Graham	Mitchell	Tabor
Bulmer	J. S. Graham	Moller	Taylor
E. Case	Gulick	Moody	Thistlethwaite
G. M. Case	Hamilton	Moore	Tighe
T. A. Case	Hayes	Morey	Valentine
Childs	Healy	Neilson	Waddell
Clapp	Herrick	Niven	Webb
Clark	Hodges	Noyes	Weiant
Corbett	Hogeboom	Post	Welsh
Corsa	Holahan	Potter	Wicks
Coulter	Husted	W. L. Rockwell	Williams
Cozans	Keator	Sager	Winch
Crowley	King	Santee	

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Husted, and it was determined in the affirmative.

Mr. Speaker announced the order of business, "general orders."

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to incorporate the Grand Lodge of the Ancient order of United Workmen of the State of New York."

"An act for the relief of the Lake George and Warrensburgh Plank-road Company, and to extend its charter or corporate existence."

Senate, "An act to amend chapter 133 of the Laws of 1847, entitled 'An act authorizing the incorporation of rural cemetery associations.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Alvord, from said committee, reported in favor of the passage of said first mentioned bill; which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Alvord, from said committee, also reported in favor of the passage of said second mentioned bill, with amendments, the title amended by striking out all after the word "company."

The question being on agreeing to said report,

Mr. Hogeboom moved to disagree with the report of the committee, and that said bill be recommitted to the committee on the judiciary, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Alvord, from said committee, also reported in favor of the passage of said third mentioned bill; which report was agreed to, and said bill ordered to a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

Senate, "An act in relation to the Foundling Asylum of the Sisters of Charity in the city of New York."

"An act to authorize the trustees of incorporated rural cemeteries to register the lots thereof, and to impose a tax upon the lot owners in said cemeteries."

"An act to provide for the construction of fishways in the State dams across the Oswego, Oneida and Seneca rivers."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Maher, from said committee, reported progress on said first and second mentioned bills, and asked and obtained leave to sit again.

Mr. Maher, from said committee, also reported in favor of the passage of said third mentioned bill, with amendments; which report was agreed to, and said bill ordered engrossed for a third reading.

By unanimous consent,

Mr. J. G. Graham, from the committee on insurance, to which was referred the bill introduced by Mr. Floyd-Jones, Int. No. 602, entitled "An act to extend the charter of the Glen Cove Mutual Insurance Company, passed March 29, 1837, as the same was modified and amended by chapter 40 of the Session Laws of the State of New York, passed February 19, 1857," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. J. G. Graham, from the committee on insurance, to which was referred the Senate bill entitled "An act to regulate the reinsurance of

the policy obligations of life insurance companies," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Bowen, from the committee on internal affairs, to which was referred the bill introduced by Mr. Nachtmann, Int. No. 11, entitled "An act to repeal chapter 646 of the Laws of 1873, entitled 'An act to suppress intemperance, pauperism and crime,' passed May 29, 1878," reported adversely thereto.

On motion of Mr. Stein, said report was laid on the table.

By unanimous consent,

Mr. Bowen, from the committee on internal affairs, to which was referred the bill introduced by Mr. Skillman, Int. No. 593, entitled "An act to authorize the county clerk of the county of Chenango to certify defective records and enter certain orders and judgments omitted to be entered by his predecessors in office," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Bowen, from the committee on internal affairs, to which was referred the bill introduced by Mr. Husted, Int. No. 565, entitled "An act to amend chapter 628 of the Laws of 1857, entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Post, at 10 o'clock and 25 minutes, the House adjourned.

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## FRIDAY, MARCH 2, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Stanton.

The journal of yesterday was read and approved.

The Senate returned the bill entitled as follows:

"An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the city of Elmira,' passed May 17, 1875."

*Ordered*, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act to amend chapter 554 of the Laws of 1873, entitled 'An act amending chapter 837 of the Laws of 1868, and chapter 623, Laws of 1869, in reference to the laying out, opening and continuing of Bushwick avenue, in the town of New Lots, Kings county,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

The Senate returned the bill entitled "An act to amend section 3 of chapter 787 of the Laws of 1872, entitled 'An act to establish the compensation of county judges and surrogates, pursuant to the fifteenth section of the amended sixth article of the Constitution,' passed May 17,

1872," with a message informing that they had passed the same, with the following amendments:

Section 1, lines 5 and 6, strike out the words "passed May 17, 1872." Same section, line 20, insert after the word "Wyoming" the word "and." Same section, lines 21 and 22, strike out the word "county" and insert the word "counties;" strike out the words "one thousand dollars and in the counties of." Same section, insert between lines 24 and 25 the words "in the county of Seneca one thousand dollars."

Amend the title so as to read: "An act to amend chapter 767 of the Laws of 1872, entitled 'An act to establish the compensation of county judges and surrogates, pursuant to the fifteenth section of the amended sixth article of the Constitution.'"

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cozans	Longyear	Sanders
Backenstose	Crowley	Lyon	Santee
S. Baldwin	Davenport	Maher	Shannon
Barnes	Dillmeier	Maynard	Sheldon
Benedict	Fish	McFalls	Skillman
Berrigan	Flecke	McGroarty	Skinner
Billings	Floyd-Jones	McKee	Sliter
Billington	Gallagher	Moller	Speaker
Bowen	Galvin	Moody	Spicer
Bradley	Gilbert	Moore	Spinola
Braman	Grady	Morey	Stein
Brill	J. G. Graham	Neilson	Stephenson
J. S. Brown	J. S. Graham	Niven	Stone
E. Case	Hamilton	O'Hare	Suydam
G. M. Case	Herrick	Orr	Tabor
T. A. Case	Hodges	Peck	Thistlethwaite
Childs	Hogeboom	Piper	Tighe
Clapp	Humphrey	Proper	Valentine
Clark	Husted	Purdy	Webb
Corbett	Keator	Rice	Wickes
Corsa	King	H. H. Rockwell	Williams
Coulter	Langbein	W. L. Rockwell	Winch
Cowdin	Langner	Ruggles	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned Assembly bill entitled "An act to amend an act, passed March 31, 1864, to amend an act entitled 'An act in relation to the Syracuse City Water-works Company,' passed April 5, 1849," with a message informing that they had passed the same, with the following amendment:

Amend title so as to read as follows: "An act to amend chapter 104 of the Laws of 1864, entitled 'An act to amend an act entitled An act

in relation to the Syracuse City Water-works Company,' passed April 5, 1849."

The amendment having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Coulter	McFalls	Shannon
Backenstose	Cowdin	McGroarty	Sheldon
Baker	Crowley	McKee	Skillman
S. Baldwin	Dillmeier	Moller	Skinner
Barnes	Fay	Moody	Sliter
Berrigan	Fish	Moore	Speaker
Billings	Floyd-Jones	Morey	Spicer
Billington	Gallagher	Neilson	Spinola
Bissell	Galvin	Niven	Stein
Bowen	J. S. Graham	Noyes	Stone
Bradley	Gulick	O'Hare	Strahan
Braman	Hamilton	Peck	Tabor
Brill	Hodges	Piper	Taylor
J. S. Brown	Hogeboom	Purdy	Thistlethwaite
E. Case	Humphrey	Rice	Tighe
G. M. Case	Husted	H. H. Rockwell	Valentine
T. A. Case	King	W. L. Rockwell	Webb
Clapp	Langbein	Ruggles	Welsh
Clark	Longyear	Sanders	Wemple
Corbett	Maher	Santee	Williams
Corsa	Maynard	Shanley	Winch

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendment.

The Senate returned Assembly bill entitled "An act to authorize the payment of certain moneys out of the State Treasury to the heir-at-law of James Green, deceased," with a message informing that they non-concur in the passage thereof.

Mr. Speaker announced the following appointment: Anson A. Dolen, as messenger to the committee on ways and means, in place of Charles E. Millard, resigned.

The bill entitled "An act to regulate voting in the Western New York Agricultural Society," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dillmeier	Longyear	Shannon
Backenstose	Ecclesine	Lyon	Sheldon
S. Baldwin	Fish	Maher	Skinner

Barnes	Floyd-Jones	Maynard	Sliter
Berrigan	Gallagher	McGroarty	Speaker
Billings	Galvin	McKee	Spicer
Billington	Gere	Moller	Stein
Bowen	Gilbert	Moore	Stephenson
Bradley	Gulick	Neilson	Stone
Braman	Hamilton	Niven	Suydam
Brick	Hammond	Noyes	Tabor
Brill	Hayes	O'Hare	Taylor
J. S. Brown	Herbst	Orr	Thistlethwaite
E. Case	Hodges	Rice	Tighe
G. M. Case	Hogeboom	H. H. Rockwell	Valentine
T. A. Case	Humphrey	W. L. Rockwell	Waddell
Clark	Husted	Ruggles	Webb
Corbett	Keator	Sanders	Wemple
Cozans	King	Santee	Williams
Crowley	Langbein	Shanley	Winch

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 210 of the Laws of 1867, entitled 'An act to incorporate Washington Fire Engine Company No. 1, in the town of Eastchester, county of Westchester,' passed March 30, 1867," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 75 }  
{ NOES 5 }

Those who voted in the affirmative, were

Alvord	Dillmeier	Maher	Shannon
Backenstose	Filkin	Marvin	Skinner
Baker	Fish	Maynard	Sliter
S. Baldwin	Floyd-Jones	McFalls	Smith
Barnes	Gallagher	McGroarty	Speaker
Berrigan	Galvin	McKee	Spicer
Billings	Gilbert	Moller	Spinola
Bowen	J. S. Graham	Moody	Stephenson
Bradley	Gulick	Morey	Stone
Braman	Hammond	Neilson	Tabor
Brick	Hayes	Niven	Taylor
Brill	Herbst	Noyes	Thistlethwaite
E. Case	Hodges	O'Hare	Tighe
G. M. Case	Holahan	Orr	Valentine
Childs	Humphrey	Piper	Webb
Corbett	Husted	H. H. Rockwell	Wemple
Corsa	King	Ruggles	Wickes
Cozans	Langbein	Sanders	Williams
Crowley	Langner	Shanley	

Those who voted in the negative, were

Hogeboom	Moore	Peck	Santee
Keator			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the revision of the laws relative to the administration of justice in the district courts of the city of New York," being announced for a third reading,

Mr. Speaker announced the pending question to be upon the motion of Mr. Purdy to recommit said bill to the committee on the judiciary with instructions to amend the same as follows: Strike out the words "three thousand," in line 2, section 5, and insert in lieu thereof the words "fifteen hundred," and to report said bill back to the House forthwith.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Purdy, and it was determined in the negative.

{ AYES 34 }  
{ NOES 77 }

Those who voted in the affirmative, were

Bissell	Crowley	Maher	Rooney
Bradley	Ecclesine	Moore	Ruggles
Brick	Flecke	Niven	Sager
Brill	Grady	Piper	Spinola
J. S. Brown	Healy	Post	Stein
Burns	Hodges	Proper	Tabor
G. M. Case	Holahan	Purdy	Welsh
Childs	Langner	Rice	Williams
Clark	Lyon		

Those who voted in the negative, were

Alvord	Filkin	Longyear	Skinner
Backenstose	Fish	Maynard	Sliter
Baker	Floyd-Jones	McFalls	Smith
S. Baldwin	Gallagher	McGroarty	Speaker
Barnes	Galvin	McKee	Spicer
Benedict	Gere	Moody	Stephenson
Billings	Gilbert	Morey	Stone
Billington	J. S. Graham	Neilson	Strahan
Bowen	Gulick	Noyes	Suydam
Braman	Hamilton	O'Hare	Taylor
E. Case	Hammond	Orr	Thistlethwaite
T. A. Case	Hayes	Peck	Tighe
Clapp	Herrick	H. H. Rockwell	Valentine
Corbett	Herbst	Sanders	Waddell
Coulter	Hogeboom	Santee	Webb
Cowdin	Husted	Shanley	Weiant
Cozans	Keator	Shannon	Wemple
Davenport	King	Sheldon	Wickes
Dillmeier	Langbein	Skillman	Winch
Fay			

Mr. Strahan moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a



majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 73 }  
{ NOES 34 }

Those who voted in the affirmative, were

Alvord	Cozans	Keator	Ruggles
Baker	Davenport	King	Santee
S. Baldwin	Dillmeier	Langbein	Shanley
Barnes	Fay	Langner	Shannon
Berrigan	Filkin	Maynard	Sheldon
Billings	Fish	McGroarty	Speaker
Billington	Floyd-Jones	McKee	Spicer
Bissell	Gallagher	Mitchell	Stephenson
Bowen	Galvin	Moller	Stone
Braman	Gere	Moody	Strahan
Brick	Gilbert	Morey	Thistlethwaite
E. Case	J. S. Graham	Niven	Tighe
G. M. Case	Gulick	Noyes	Valentine
T. A. Case	Hamilton	O'Hare	Webb
Clapp	Hammond	Orr	Weiant
Clark	Hayes	Post	Wemple
Corbett	Herbst	H. H. Rockwell	Wickes
Coulter	Husted	W. L. Rockwell	Williams
Cowdin			

Those who voted in the negative, were

Backenstose	Healy	Peck	Skinner
Benedict	Herrick	Piper	Smith
J. S. Brown	Hogeboom	Proper	Spinola
Burns	Holahan	Purdy	Stein
Childs	Humphrey	Rice	Taylor
Crowley	Longyear	Rooney	Waddell
Ecclesine	Lyon	Sager	Welsh
Flecke	Maher	Sanders	Winch
Grady	Moore		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to confirm the title of certain lands conveyed to Josefa M. Mora, an alien," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof

{ AYES 103 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davenport	McFalls	Shannon
Backenstose	Dillmeier	McGroarty	Sheldon
Baker	Dimond	McKee	Skillman
S. Baldwin	Ecclesine	Mitchell	Skinner
Barnes	Fish	Moller	Sliter
Benedict	Flecke	Moody	Smith

Berrigan	Floyd-Jones	Moore	Speaker
Billings	Galvin	Morey	Spicer
Billington	Gere	Neilson	Spinola
Bissell	Grady	Niven	Stein
Bowen	J. S. Graham	Noyes	Stephenson
Braman	Gulick	O'Hare	Stone
Brill	Hamilton	Orr	Suydam
J. S. Brown	Hammond	Peck	Taylor
E. Case	Hayes	Piper	Thistlethwaite
G. M. Case	Healy	Proper	Tighe
T. A. Case	Hogeboom	Purdy	Valentine
Childs	Holahan	Rice	Waddell
Clapp	Humphrey	H. H. Rockwell	Webb
Clark	Husted	W. L. Rockwell	Weiant
Corbett	Keator	Rooney	Welsh
Corsa	Langbein	Ruggles	Wemple
Coulter	Longyear	Sager	Wickes
Cowdin	Maher	Sanders	Williams
Cozans	Marvin	Santee	Winch
Crowley	Maynard	Shanley	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend the charter of the Lafayette Fire Insurance Company of Brooklyn," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 71 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Ecclesine	McFalls	Shanley
Backenstose	Fish	McKee	Shannon
Baker	Floyd-Jones	Moller	Skinner
S. Baldwin	Gallagher	Moody	Sliter
Barnes	Galvin	Moore	Spicer
Benedict	Gere	Neilson	Stein
Billings	J. S. Graham	Niven	Stone
Bowen	Hamilton	Noyes	Suydam
Braman	Hammond	O'Hare	Taylor
Brill	Herbst	Orr	Thistlethwaite
G. M. Case	Hogeboom	Peck	Tighe
T. A. Case	Humphrey	Purdy	Webb
Clapp	King	Rice	Weiant
Corbett	Langbein	H. H. Rockwell	Wemple
Cowdin	Langner	W. L. Rockwell	Wickes
Crowley	Longyear	Sager	Williams
Davenport	Maher	Sanders	Winch
Dillmeier	Maynard	Santee	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 55 of article 3, of chapter 8 of part 2 of the Revised Statutes, entitled 'Of divorces dissolving the marriage contract,'" being announced for a third reading,

On motion of Mr. Maynard, and by unanimous consent, said bill was amended as follows: Section 1, strike out the words "fifty-five" and insert in lieu thereof the words "forty-two," and by striking out the figures "55" and inserting in lieu thereof the figures "42."

Amend the title by striking out the words "fifty-five" and inserting the words "forty-two."

Said bill, as amended, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Gallagher	McGroarty	Shannon
Backenstose	Gilbert	McKee	Sheldon
Baker	Grady	Moller	Skillman
S. Baldwin	Gulick	Moody	Sliter
Barnes	Hamilton	Moore	Smith
Billings	Hayes	Morey	Speaker
Bissell	Hogeboom	Neilson	Spicer
Bowen	Holahan	Niven	Stein
Braman	Humphrey	Noyes	Stone
Brill	Keator	Peck	Strahan
T. A. Case	Kidg	Piper	Suydam
Clapp	Langbein	Purdy	Tabor
Clark	Langner	Rice	Taylor
Corbett	Longyear	H. H. Rockwell	Thistlethwaite
Corsa	Lyon	W. L. Rockwell	Valentine
Cowdin	Maher	Rooney	Webb
Davenport	Marvin	Sager	Weiant
Dillmeier	Maynard	Sanders	Wemple
Fay	McFalls	Santee	Winch
Floyd-Jones	McGraw		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the appointment and to establish the fees of special surrogates," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 82 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Fay	Maher	Shanley
Backenstose	Fish	Maynard	Sheldon
Baker	Flecke	McFalls	Skillman
Barnes	Floyd-Jones	McGroarty	Skinner

Benedict	Gallagher	McKee	Sliter
Billings	Gilbert	Moller	Speaker
Bissell	Grady	Moody	Spicer
Bowen	J. S. Graham	Moore	Stein
Bradley	Gulick	Neilson	Stone
Braman	Hamilton	Niven	Suydam
Brill	Hammond	O'Hare	Tabor
J. S. Brown	Hayes	Peck	Taylor
E. Case	Herbst	Post	Thistlethwaite
G. M. Case	Hogeboom	Purdy	Tighe
T. A. Case	Holahan	Rice	Valentine
Clark	Humphrey	H. H. Rockwell	Webb
Corbett	Keator	W. L. Rockwell	Weiant
Corsa	King	Ruggles	Welsh
Cowdin	Langbein	Sager	Wemple
Davenport	Longyear	Santee	Winch
Dillmeier	Lyon		

For the negative,  
Mitchell

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 143 of the Laws of 1861, entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' passed April 8, 1861, and the various acts amendatory thereof or relating to the city of Rochester," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Fish	Maynard	Santee
S. Baldwin	Flecke	McGroarty	Shanley
Barnes	Floyd-Jones	McKee	Shannon
Berrigan	Gere	Moller	Skillman
Billings	Gilbert	Moody	Skinner
Bissell	J. S. Graham	Moore	Speaker
Bowen	Gulick	Morey	Spicer
Braman	Hayes	Noyes	Stephenson
Brill	Hepburn	O'Hare	Stone
G. M. Case	Herrick	Orr	Strahan
T. A. Case	Herbst	Piper	Suydam
Clapp	Hogeboom	Purdy	Tabor
Corsa	Humphrey	Rice	Thistlethwaite
Coulter	Keator	H. H. Rockwell	Tighe
Cowdin	King	W. L. Rockwell	Webb
Davenport	Langbein	Rooney	Weiant
Dillmeier	Langner	Ruggles	Welsh
Dimond	Lyon	Sager	Wickes
Ecclesine	Maher	Sanders	Williams
Fay	Marvin		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act making an appropriation for the payment of a portion of the general fund State debt," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Gallagher	McGroarty	Skillman
Baker	Galvin	McKee	Skinner
S. Baldwin	Gilbert	Moller	Sliter
Berrigan	Grady	Moore	Spicer
Billings	Gulick	Morey	Stein
Bowen	Hammond	Neilson	Stephenson
Braman	Herbst	Niven	Stone
E. Case	Hogeboom	Noyes	Suydam
G. M. Case	Holahan	Orr	Tabor
T. A. Case	Humphrey	Peck	Taylor
Corbett	King	Rice	Thistlethwaite
Corsa	Langbein	H. H. Rockwell	Tighe
Coulter	Langner	W. L. Rockwell	Valentine
Cowdin	Longyear	Rooney	Webb
Cozans	Lyon	Ruggles	Weiant
Fay	Maher	Sager	Welsh
Filkin	Marvin	Sanders	Wemple
Fish	Maynard	Santee	Williams
Flecke	McFalls	Sheldon	Winch
Floyd-Jones			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Herbst offered for the consideration of the House a resolution, in the words following :

*Resolved*, That when this House adjourn to-day, it be until Monday evening next, at 8 o'clock P. M.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 70 }  
{ NOES 37 }

Those who voted in the affirmative, were

S. Baldwin	Davenport	Lyon	Santee
Benedict	Dillmeier	Maher	Shanley
Berrigan	Ecclesine	McFalls	Shannon
Billings	Fay	McGroarty	Skillman
Bowen	Flecke	Mitchell	Sliter
Braman	Galvin	Moller	Stein
Brick	Gere	Moody	Stephenson
Burns	Gilbert	Morey	Stone
E. Case	Gulick	Neilson	Strahan

G. M. Case	Hammond	Niven	Suydam
T. A. Case	Hayes	Noyes	Taylor
Clapp	Herrick	Orr	Thistlethwaite
Clark	Herbst	Post	Valentine
Corbett	Humphrey	Proper	Weiant
Corsa	Husted	H. H. Rockwell	Wemple
Coulter	Keator	W. L. Rockwell	Wickes
Cowdin	Lang	Ruggles	Winch
Crowley	Longyear		

Those who voted in the negative, were

Alvord	Gallagher	Moore	Skinner
Baker	Grady	O'Hare	Speaker
Bissell	J. S. Graham	Peck	Spicer
Bradley	Hogeboom	Piper	Spinola
Brill	Holahan	Purdy	Tabor
Bulmer	Langbein	Rice	Tighe
Childs	Langner	Rooney	Waddell
Filkin	Maynard	Sager	Welsh
Fish	McKee	Sanders	Williams
Floyd-Jones			

When the name of Mr. Fish was called he asked to be, and was not, excused from voting.

Mr. Spinola gave notice that on Monday evening next he would move a call of the House.

The bill entitled "An act to amend chapter 207 of the Laws of 1876, entitled 'An act to incorporate the Grand Army of the Republic Soldiers' Home of the State of New York,' passed May 15, 1876," being announced for a third reading,

On motion of Mr. Ruggles, and by unanimous consent, the title of said bill was amended by striking out the word "seven" and inserting in lieu thereof the word "seventy."

Said bill, as amended, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Cowdin	Keator	H. H. Rockwell
Backenstose	Cozans	King	W. L. Rockwell
S. Baldwin	Crowley	Lang	Ruggles
Barnes	Davenport	Langbein	Sager
Berrigan	Dillmeier	Longyear	Sanders
Billings	Ecclesine	Lyon	Santee
Billington	Fish	Maynard	Shannon
Bissell	Flecke	McFalls	Sheldon
Bowen	Floyd-Jones	McGroarty	Skillman
Bradley	Galvin	McKee	Skinner
Braman	Gilbert	Moller	Speaker
Brill	Grady	Moody	Spicer

E. Case	J. S. Graham	Moore	Suydam
G. M. Case	Gulick	Morey	Tabor
T. A. Case	Hammond	Niven	Tighe
Childs	Hayes	Noyes	Waddell
Clapp	Herrick	O'Hare	Webb
Clark	Herbst	Peck	Wemple
Corsa	Humphrey	Piper	Williams
Coulter	Husted	Potter	Winch

For the negative,

Holahan

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to amend chapter 235 of the Laws of 1873, entitled 'An act to amend an act entitled An act to establish free schools in school district number four, in the town of Eastchester, Westchester county,' passed June 8, 1853," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davenport	Maynard	Shannon
S. Baldwin	Dillmeier	McFalls	Skillman
Barnes	Dimond	McGroarty	Skinner
Benedict	Flecke	McKee	Sliter
Berrigan	Floyd-Jones	Moller	Speaker
Billings	Galvin	Moody	Spicer
Billington	Gere	Moore	Stein
Bowen	Gilbert	Niven	Stephenson
Bradley	Gulick	Peck	Strahan
Braman	Hamilton	Piper	Suydam
Brill	Hammond	Post	Tabor
J. S. Brown	Hayes	Potter	Tighe
E. Case	Herbst	Purdy	Valentine
G. M. Case	Husted	H. H. Rockwell	Waddell
T. A. Case	Keator	W. L. Rockwell	Weiant
Childs	King	Ruggles	Welsh
Clapp	Lang	Sager	Wemple
Clark	Langbein	Sanders	Williams
Corsa	Longyear	Santee	Winch
Cowdin	Lyon		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The bill entitled "An act to amend chapter 113 of the Laws of 1859, entitled 'An act in relation to the common schools in the village of Elmira,' passed April 4, 1859," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crowley	Longyear	Ruggles
S. Baldwin	Davenport	Lyon	Sanders
Barnes	Dillmeier	Maynard	Santee
Benedict	Fish	McFalls	Shannon
Berrigan	Flecke	McGroarty	Sheldon
Billings	Floyd-Jones	McKee	Skillman
Bissell	Galvin	Moller	Skinner
Bowen	Gilbert	Moody	Speaker
Bradley	J. S. Graham	Morey	Spicer
Braman	Gulick	Niven	Stein
Brill	Hamilton	Noyes	Stephenson
E. Case	Hammond	Peck	Suydam
G. M. Case	Hayes	Piper	Tabor
T. A. Case	Herrick	Post	Valentine
Childs	Hogeboom	Proper	Webb
Clapp	Holahan	Purdy	Weiant
Clark	Humphrey	Rice	Welsh
Corsa	Keator	H. H. Rockwell	Williams
Coulter	King	W. L. Rockwell	Winch
Cowdin	Lang		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to require the clerks of the several boards of supervisors of the several counties of this State to transmit copies of the proceedings of the several boards of supervisors to the librarian of the State library," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 73 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cowdin	King	W. L. Rockwell
S. Baldwin	Davenport	Lang	Ruggles
Barnes	Dillmeier	Langbein	Sager
Benedict	Dimond	Longyear	Sanders
Berrigan	Fay	Maynard	Santee
Billings	Filkin	McFalls	Shanley
Bissell	Fish	McGroarty	Shannon
Bowen	Floyd-Jones	McKee	Skinner
Bradley	Gilbert	Mitchell	Speaker
Braman	Grady	Moller	Spicer
Brill	Gulick	Moody	Stephenson
E. Case	Hamilton	Moore	Suydam
G. M. Case	Hammond	Morey	Webb
T. A. Case	Healy	Niven	Weiant
Childs	Hogeboom	Peck	Welsh
Clapp	Holahan	Piper	Wemple



Clark	Husted	Post	Williams
Corsa	Keator	H. H. Rockwell	Winch
Coulter			

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 381 of the Laws of 1875, entitled 'An act supplemental to an act entitled An act to provide for the incorporation of religious societies,' passed April 5, 1813, and of the several acts amendatory thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 71 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Corsa	King	W. L. Rockwell
S. Baldwin	Coulter	Lang	Ruggles
Barnes	Cowdin	Langbein	Sager
Benedict	Davenport	Maynard	Sanders
Berrigan	Dillmeier	McFalls	Santee
Billings	Dimond	McGroarty	Shanley
Billington	Ecolesine	McKee	Shannon
Bissell	Filkin	Moody	Skinner
Bowen	Fish	Moore	Spicer
Bradley	Floyd-Jones	Morey	Stephenson
Braman	Galvin	Neilson	Suydam
Brick	Gilbert	Niven	Valentine
Brill	Gulick	Peck	Webb
Burns	Hammond	Piper	Weiant
E. Case	Hayes	Post	Wemple
T. A. Case	Humphrey	Purdy	Williams
Childs	Husted	Rice	Winch
Clapp	Keator	H. H. Rockwell	

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate Rapid Hose Company No. 1, of the city of Kingston, Ulster county, State of New York, being announced for a third reading,

On motion of Mr. Hamilton, and by unanimous consent, said bill was amended as follows: Strike out all after section one, down to and including "Adolph Weiss," and insert in lieu thereof the following: J. Peter Derrenbacher, Alfred H. Hasbrouck, Christian Dittus, J. C. Kirchner, J. H. Derrenbacher, Joseph Manear, H. C. Melius, Charles Slater, E. D. Frey, Matthew Zeeh, John Finley, Peter B. Zeeh, William Derrenbacher, Joseph Housen, J. E. Derrenbacher, Jacob Fox, Sr., Jacob Walter John D. Derrenbacher, John Bruck, John Arnold, William Witt, Louis Forst, George Wachmayer, Crawford North, Isidore Forst, Augustus Yost, James E. Leveridge, Hobart Luft, Garret V. Concklin, George F. Stephan, Charles Bishop, Legrand Abbey and Adolph Weiss, John Haltz, William Arnold, Dudley Barber, William Mink, Gan Hetzel, John Kene, G. S. Dourn, Thomas Schoonmaker, Edward Keator, Dabit S. Hasbrouck.

Said bill, as amended, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 75 }  
{ NOES 4 }

Those who voted in the affirmative, were

Alvord	Coulter	Longyear	Shanley
S. Baldwin	Cowdin	Lyon	Shannon
Barnes	Cozans	Maher	Skillman
Benedict	Davenport	Maynard	Skinner
Berrigan	Dillmeier	McFalls	Speaker
Billings	Fay	McGroarty	Spicer
Bissell	Filkin	McKee	Spinola
Bowen	Flecke	Mitchell	Stein
Bradley	Floyd-Jones	Moller	Stephenson
Braman	Galvin	Moody	Suydam
Brick	Grady	Morey	Tabor
Brill	Gulick	Neilson	Taylor
Burns	Hamilton	Niven	Tighe
E. Case	Hammond	O'Hare	Valentine
G. M. Case	Hayes	Piper	Waddell
T. A. Case	Humphrey	Post	Webb
Clapp	Keator	H. H. Rockwell	Weiant
Clark	King	W. L. Rockwell	Winch
Corsa	Langbein	Sanders	

Those who voted in the negative, were

Gilbert	Hogeboom	Ruggles	Santee
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*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Husted offered for the consideration of the House a privileged resolution, in the words following :

*Resolved*, That the Secretary of State be requested to report within ten days any decisions made by the State Board of Audit under the fourth section of chapter 444 of the Laws of 1876, since his last report.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The bill entitled "An act to enlarge the Ridgewood reservoir of the city of Brooklyn," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 76 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Cowdin	Maher	H. H. Rockwell
Barnes	Davenport	Maynard	Ruggles
Benedict	Ecclesine	McFalls	Sanders
Berrigan	Fish	McGroarty	Santee

Billings	Flecke	McKee	Shanley
Billington	Floyd-Jones	Mitchell	Shannon
Bissell	Galvin	Moller	Skillman
Bradley	Gere	Moody	Skinner
Braman	Gilbert	Moore	Spicer
Brick	Grady	Morey	Spinola
Brill	Gulick	Nachtmann	Stein
Burns	Herrick	Neilson	Stephenson
E. Case	Hogeboom	Niven	Tighe
G. M. Case	Holahan	O'Hare	Waddell
T. A. Case	Humphrey	Peck	Webb
Childs	Keator	Piper	Weiant
Clapp	Lang	Post	Wemple
Corsa	Langbein	Purdy	Williams
Coulter	Longyear	Rice	Winch

Those who voted in the negative, were

S. Baldwin      Suydam

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to confirm the official acts of Dougald E. Cameron, heretofore elected a justice of the peace for the town of Caledonia, in the county of Livingston," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Cowdin	Maher	Sanders
S. Baldwin	Davenport	Maynard	Santee
Barnes	Dillmeier	McFalls	Shannon
Benedict	Ecclesine	McGroarty	Skillman
Berrigan	Fay	McKee	Skinner
Billings	Filkin	Moller	Speaker
Billington	Fish	Morey	Spicer
Bissell	Flecke	Neilson	Stephenson
Bradley	Floyd-Jones	Niven	Stone
Braman	Galvin	Noyes	Strahan
Brick	Gulick	O'Hare	Suydam
Brill	Hayes	Peck	Tighe
Burns	Healy	Piper	Valentine
E. Case	Herrick	Post	Waddell
G. M. Case	Holahan	Rice	Webb
T. A. Case	Husted	H. H. Rockwell	Weiant
Childs	Keator	W. L. Rockwell	Welsh
Clapp	King	Ruggles	Wemple
Corsa	Langbein	Sager	Winch
Coulter	Longyear		

For the negative,

Mitchell

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the Senate bill entitled "An act to authorize the county of Kings to raise moneys to continue relief supplies to the out-door poor," with a message informing that the vote upon the final passage of said bill having been reconsidered, said bill was amended as follows:

Section 1, line 4, engrossed bill, strike out the word "fifteen," and insert the word "forty."

Mr. McGroarty moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to said motion to reconsider, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Cowdin	Lang	H. H. Rockwell
S. Baldwin	Davenport	Langbein	W. L. Rockwell
Barnes	Dimond	Longyear	Ruggles
Benedict	Ecclesine	Lyon	Sanders
Berrigan	Fay	Maher	Santee
Billings	Filkin	Maynard	Shanley
Billington	Fish	McFalls	Shannon
Bissell	Flecke	McGroarty	Skillman
Bradley	Floyd-Jones	McKee	Skinner
Braman	Galvin	Mitchell	Speaker
Brick	Gere	Moody	Spicer
Brill	Grady	Moore	Spinola
Burns	Gulick	Morey	Strahan
E. Case	Hamilton	Nachtmann	Tighe
G. M. Case	Herrick	Niven	Waddell
T. A. Case	Hogeboom	Noyes	Webb
Childs	Holahan	O'Hare	Weiant
Clapp	Humphrey	Orr	Welsh
Clark	Husted	Peck	Wemple
Corsa	Keator	Piper	Winch
Coulter	King	Post	

For the negative,

Suydam

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 4 }

Those who voted in the affirmative, were

Alvord	Fay	Lyon	H. H. Rockwell
S. Baldwin	Filkin	Maher	W. L. Rockwell

Barnes	Flecke	Maynard	Rooney
Benedict	Floyd-Jones	McFalls	Ruggles
Berrigan	Galvin	McGroarty	Sager
Billings	Gere	McKee	Sanders
Bissell	Grady	Mitchell	Santee
Bradley	Gulick	Moody	Shanley
Braman	Hamilton	Moore	Shannon
Brick	Hayes	Morey	Skillman
Brill	Healy	Nachtmann	Skinner
Burns	Herrick	Niven	Spicer
G. M. Case	Hogeboom	Noyes	Spinola
T. A. Case	Holahan	O'Hare	Stephenson
Clapp	Husted	Peck	Tighe
Coulter	Keator	Piper	Valentine
Cowdin	King	Post	Waddell
Davenport	Lang	Proper	Webb
Dillmeier	Langbein	Purdy	Wemple
Ecclesine	Longyear	Rice	

Those who voted in the negative, were

Billington	E. Case	Suydam	Williams
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*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The Senate bill entitled "An act to amend chapter 133 of the Laws of 1847, entitled 'An act authorizing the incorporation of rural cemetery associations,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly, voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dimond	Lyon	W. L. Rockwell
S. Baldwin	Ecclesine	Maher	Rooney
Barnes	Fay	Maynard	Ruggles
Benedict	Fish	McFalls	Sager
Berrigan	Flecke	McGroarty	Sanders
Billings	Floyd-Jones	McKee	Santee
Billington	Galvin	Moller	Shanley
Bissell	Gere	Moody	Shannon
Bradley	Grady	Moore	Skillman
Braman	Gulick	Morey	Skinner
Brick	Hamilton	Nachtmann	Spicer
Brill	Hayes	Niven	Stephenson
Burns	Herrick	Noyes	Suydam
E. Case	Holahan	O'Hare	Tighe
G. M. Case	Husted	Peck	Valentine
T. A. Case	Keator	Piper	Webb
Clapp	King	Post	Welsh
Coulter	Lang	Purdy	Wemple

Cowdin  
Davenport  
Dillmeier

Langbein  
Longyear

Rice  
H. H. Rockwell

Williams  
Winch

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

Mr. Herrick introduced a bill entitled "An act to provide for the election of a supervisor at large in Albany county, and prescribing his powers and duties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Lyons introduced a bill entitled "An act in relation to the repairing and improvement of Fourth street, from Division avenue to Grand street, in the city of Brooklyn," which was read the first time, and by unanimous consent, was also read the second time, and referred to the committee on affairs of cities.

Mr. Cowdin introduced a bill entitled "An act establishing and regulating quarantine and defining the qualifications and duties and powers of the health officer of the harbor and port of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Hayes introduced a bill entitled "An act in relation to arrears of taxes in the city of New York, and to provide for the reissuing of revenue bonds in anticipation of such taxes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Sanders introduced a bill entitled "An act in relation to the keeping open of the office of the clerk of the county of Schenectady," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, a petition on the same subject, which was read and referred to the same committee.

Mr. Brill introduced a bill entitled "An act to amend an act entitled 'An act concerning the pilots of the channel of the East river, commonly called Hell Gate,' passed April 15, 1847, and the various acts amendatory thereof, passed March 12, 1860, March 14, 1865, May 17, 1867, April 16, 1868, and April 5, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Also, a bill entitled "An act to prevent and punish the unlawful taking and carrying away of sand or earth from lands or shores above ordinary high-water mark in the town of Huntington, Suffolk county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Keator introduced a bill entitled "An act in relation to the office of railroad commissioners in Ulster county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Husted introduced a bill entitled "An act to provide for the adjustment and payment of a deficiency in the State tax of 1874, arising out of the annexation of the towns of Morrisania, West Farms and Kingsbridge, in the county of Westchester, to the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Ecclesine introduced a bill entitled "An act to regulate the granting of injunctions in cases where railroad corporations are parties defendant," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Strahan moved that said bill be referred to the committee on the judiciary.

Mr. Alvord moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Strahan, and it was determined in the negative.

On motion of Mr. Alvord, and by unanimous consent, the time of this session was extended for the purpose of reports of standing committees.

By unanimous consent,

Mr. Hogeboom introduced a bill entitled "An act to amend title 1, chapter 13 of the Revised Statutes, in relation to property liable to taxation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Hogeboom, from the committee on general laws, to which was referred the bill introduced by Mr. Sheldon, Int. No. 200, entitled "An act to facilitate the collection of school district taxes," reported adversely thereto.

On motion of Mr. Maynard, said report was laid on the table.

Mr. Hogeboom, from the committee on general laws, to which was referred the bill introduced by Mr. Noyes, Int. No. 200, entitled "An act to provide for the organization of co-operative store companies," reported adversely thereto, which report was agreed to.

Mr. Hogeboom, from the committee on general laws, to which was referred the bill introduced by Mr. Childs, Int. No. 194, entitled "An act to legalize and confirm the official acts of J. Marshall Guion, a justice of the peace in the town of Seneca Falls, in the county of Seneca, and to enable him to take and file his oath of office," together with the veto of the Governor and accompanying reasons thereof, reported that they concur in the reasons for said veto, and adversely to said bill, which report was agreed to.

Mr. Alvord moved to lay said report on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Fish, from the committee on affairs of cities, to which was recommended the bill introduced by Mr. Fish, Int. No. 192, entitled "An act to secure better public administration within the city and county of New York," reported in favor of the passage of the same, with amendments, the title amended so as to read: "An act relating to the local government of the city of New York," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish moved that said bill be made a special order for Thursday next, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Dillmeir, Int. No. 423, entitled "An act for

the extension of a certain highway in the city of Brooklyn to, and in, the town of Newton, Queens county," reported adversely thereto, which report was agreed to.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Langbein, Int. No. 163, entitled "An act to repeal an act entitled 'An act to alter the map or plan of the city of New York, by laying out thereon a parade ground, and to authorize the taking of the same,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Healy, Int. No. 371, entitled "An act to amend chapter 335 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. McGroarty, Int. No. 288, entitled "An act to create a police pension fund for disabled and retired policemen in the city of Brooklyn," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Langbein, Int. No. 410, entitled "An act to establish a temporary parade ground in the city of New York, for the use of the first division national guard of the State of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Sanders, Int. No. 504, entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relative to the city of Schenectady,' passed April 21, 1862, and the acts amendatory thereof," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Healy, Int. No. 325, entitled "An act to amend chapter 335 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873, and to abolish the commissioners of docks of the city of New York and to transfer the powers and duties of the same," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Tighe, Int. No. 251, entitled "An act to confirm, reduce and levy certain assessments for improving part of Union street in the city of Brooklyn," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill entitled "An act relating to the coroners of the city and county of New York, their duties and compensation," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

(Messrs. Mitchell and McGroarty dissented.)



Mr. Gilbert, from the committee on railroads, to which was referred the bill introduced by Mr. O'Hare, Int. No. 464, entitled "An act to authorize railroad companies to charge and collect an excess of ten cents where fare is paid in the cars," reported in favor of the passage of the same, with amendments, the title amended so as to read "An act to authorize steam surface railroad companies to charge and collect an excess of ten cents where fare is collected in the cars," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Webb, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Bissell, Int. No. 190, entitled "An act additional to chapter 320 of the Laws of 1872, entitled 'An act to amend an act relating to the rates of wharfage on canal boats, and to regulate piers, wharves, bulk-heads and slips in the cities of New York and Brooklyn,' passed May 6, 1870," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Cowdin, from the committee on insurance, to which was referred the bill introduced by Mr. Maynard, Int. No. 438, entitled "An act to authorize the formation of town insurance companies," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Cowdin, from the committee on insurance, to which was referred the bill introduced by Mr. Coulter, Int. No. 436, entitled "An act to amend chapter 617 of the Laws of 1873, entitled 'An act regulating the deposit of securities by plate-glass insurance companies,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Noyes, from the committee on affairs of villages, to which was referred the Senate bill entitled "An act authorizing the board of trustees of West Troy, to contract for a supply of water for public purposes," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. McKee, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Clapp, Int. No. 542, entitled "An act to amend chapter 117 of the Laws of 1843, entitled 'An act to incorporate the American Baptist Home Mission Society,' passed April 12, 1843, and amended February 9, 1849," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. McKee, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Langbein, Int. No. 358, entitled "An act to incorporate St. Raymond's Cemetery of Westchester, in the State of New York," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. McKee, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Cowdin, Int. No. 460, entitled "An act further to amend chapter 160 of the Laws of 1863, entitled 'An act to incorporate the New York Infant Asylum,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. McKee, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Marvin, Int. No. 59, entitled "An act in relation to the Inebriates' Home for Kings county,

and to amend chapter 514 of the Laws of 1871, entitled 'An act to amend an act entitled An act to incorporate the Inebriates' Home for Kings county,' passed May 9, 1867, and the act amendatory thereof, passed April 30, 1868," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. J. S. Brown, from the committee on game laws, to which was referred the bill introduced by Mr. Smith, Int. No. 552, entitled "An act to amend chapter 455 of the Laws of 1874, to protect the fisheries of Cross lake, in Onondaga county, also of Clyde and Seneca rivers, in the counties of Wayne and Cayuga," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. J. S. Brown, from the committee on game laws, to which was referred the bill introduced by Mr. J. S. Brown, Int. No. 524, entitled "An act to prevent fishing for trout for three years in Owasco lake, in the county of Cayuga," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. J. S. Brown, from the committee on game laws, to which was referred the bill introduced by Mr. Smith, Int. No. 551, entitled "An act to prevent fishing for trout in Skaneateles lake, and in the streams of Onondaga county, for a period of three years," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Niven offered for the consideration of the House a resolution, in the words following:

*Resolved*, That Assembly bill No. 130, entitled "An act to amend chapter 237 of the Laws of 1869, entitled 'An act to amend an act entitled An act to authorize the formation of railroad corporations and to regulate the same, passed April 2, 1850,' passed April 17, 1869," as now printed, be removed from the files, and that a copy thereof be substituted wherein the amendments to existing laws proposed in said bill shall appear in italics pursuant to the rule of this House.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker presented the annual report of the State Engineer and Surveyor, on railroads of this State, for the year ending September 30, 1876; which was laid on the table and ordered printed.

(See Doc. No. 62.)

By unanimous consent,

Mr. Gulick presented a petition of attorneys, for the repeal of the Code of Remedial Justice; which was read and referred to the committee on the judiciary.

By unanimous consent,

Mr. Morey presented a remonstrance of the supervisors of Livingston county, against the passage of a bill for the relief of George W. Phelps; which was read and referred to the committee on the judiciary.

By unanimous consent,

Mr. Floyd-Jones presented a memorial of the Bar Association of Queens county, in reference to the code of remedial justice; which was read and referred to the committee on the judiciary.

On motion of Mr. Alvord, at 2 o'clock and 15 minutes, the House adjourned.

## MONDAY, MARCH 5, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Schwartz.

The journal of Friday, March 2, was read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act relating to Gowanda Union Free School district, composed of a part of the town of Collins, in Erie county, and parts of the towns of Persia and Perrysburgh, in Cattaraugus county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Leave of absence was granted to Messrs. Morey, J. S. Graham and Humphrey.

Leave of absence was granted to Messrs. Valentine and J. S. Brown.

Leave of absence was granted to Mr. Skinner until Wednesday.

Leave of absence was granted to Messrs. Stephenson and Baldwin until Wednesday.

Leave of absence was granted to Messrs. Smith, Spinola and Fay.

Leave of absence was granted to Messrs. Clark, E. Case, Noyes and Filkins until Wednesday morning.

Mr. Braman introduced a bill entitled "An act to provide better facilities for the election of town officers in the town of Watervliet, Albany county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Post introduced a bill entitled "An act in relation to the Superintendent of State Prisons, and for their more efficient and economical management," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

Mr. Williams introduced a bill entitled "An act to amend section 47 of chapter 140 of the Laws of 1850, entitled 'An act to authorize the formation of railroad companies, and to regulate the same,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Gallagher introduced a bill entitled "An act to amend the charter of the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Suydam introduced a bill entitled "An act to amend an act entitled 'An act concerning the pilots of the channel of the East river, commonly called Hell Gate,' passed April 15, 1847, and the various acts amendatory thereto, passed March 12, 1860, March 14, 1865, May 17, 1867, April 16, 1868, and April 5, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Sheldon introduced a bill entitled "An act authorizing licenses to keep taverns, without including a license to sell spirituous or intoxicating liquors," which was read the first time, and by unanimous consent was

also read the second time, and referred to the committee on internal affairs.

Mr. Alverd introduced a bill entitled "An act to amend the charter of the city of Syracuse, so far as concerns the reorganization of the fire department of said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. J. G. Graham introduced a bill entitled "An act to authorize the city of Newburgh to borrow money, and issue bonds therefor, for the payment of certain water bonds of said city, heretofore issued, and to provide for the payment thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to authorize the Fishkill and Newburgh Railroad Company to build a bridge across the Hudson," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Floyd-Jones introduced a bill entitled "An act to incorporate the Cathedral of the Incarnation, in the diocese of Long Island," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Braman presented a petition from citizens of Green Island for a bridge; which was read and referred to the committee on canals.

Mr. Wickes presented two petitions from the faculty and civil engineers of Cornell University, against the repeal of an act organizing the board of State survey; which were read and referred to the committee on ways and means.

Mr. H. H. Rockwell presented a petition of citizens of Chemung county, against the extension of the charter of the Elmira and Southport plank-road; which was read and referred to the committee on roads and bridges.

Mr. Moody presented a petition of the Broome county bar, for the repeal of the Code of Remedial Justice; which was read and referred to the committee on the judiciary.

Also, a petition of citizens of Broome county, for a law authorizing the board of supervisors to fix the salaries of the offices therein; which was read and referred to the committee on internal affairs.

Mr. Alvord presented resolutions of the Onondaga County Bar Association in regard to the new revision of the statutes; which were read and referred to the committee on the judiciary.

Mr. Strahan presented a petition of residents of the city of New York for abolition of capital punishment; which was read and referred to the committee on the judiciary.

Mr. Moore presented seven petitions for repeal of chapter 117, Laws of 1856; which were read and referred to the committee on railroads.

Mr. Sheldon presented a remonstrance against changing the general plank-road act of 1876; which was read and referred to the committee on roads and bridges.

Mr. Rice presented three remonstrances of citizens of Lewis county against repeal of the civil damage act; which were read and referred to the committee on internal affairs.

Mr. Bradley presented a petition of tax-payers of Brooklyn for reduction of municipal salaries and commissions of said city; which was read and referred to the committee of the whole.

Mr. Suydam presented nine petitions of tax-payers for reduction of per centum on taxes and assessments in the city of Brooklyn; which were read and referred to the committee on ways and means.

Mr. McGroarty presented a petition for passage of the bill reducing assessments for improving Ocean park-way in Kings county; which was read and referred to the committee on affairs of cities.

Mr. Clapp presented a petition of citizens of Essex county, for repeal of laws relating to the application of taxes of non-resident lands in the town of Newcomb, for the construction of roads outside of that town; which was read and referred to the committee on ways and means.

Mr. McKee presented a remonstrance against the passage of a bill changing the poor laws of Herkimer county; which was read and referred to the committee on internal affairs.

Mr. Sager presented a petition of 800 electors of the First Assembly district of Albany county, for reduction of legislative salaries; which was read and referred to the committee on ways and means.

Mr. Lang presented a petition of citizens of Potsdam, requesting a reduction of salaries; which was read and referred to the committee on ways and means.

Mr. Gere presented a petition of citizens of Tioga county, in favor of granting use of Chenango Canal Extension to the Binghamton and Williamsport Railroad Company; which was read and referred to the committee on canals.

A message from the Senate was received and read, informing of concurrence in the passage of the resolution in the words following:

*Resolved* (if the Senate concur), That the sum of three hundred thousand dollars out of the sum of four hundred thousand dollars appropriated by section 5 of act chapter 425 of the Laws of 1876, for the deepening the water-way of the Erie canal, may be temporarily transferred by the Commissioners of the Canal Fund to the ordinary canal repair fund, for the purpose of enabling the State officers to repair and open the canals in the ensuing spring, the said sum of three hundred thousand dollars hereby appropriated shall be replaced in the original fund for deepening the water-way of the Erie canal from the revenues of the canals for the current fiscal year.

Mr. Speaker presented a communication from His Excellency the Governor, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }  
ALBANY, *March 5, 1877.*

*To the Assembly:*

I transmit herewith, for the consideration of the Assembly, a letter which I have received from the president of the Commissioners of Emigration of the State of New York, in relation to an act pending before your honorable body, authorizing the filling in of the channel between Ward's and Randall's Islands.

L. ROBINSON.

On motion of Mr. Alvord, said communication, with accompanying letter, was referred to the committee on affairs of cities, and ordered printed.

Mr. Cowdin offered for the consideration of the House, a resolution, in the words following:

*Resolved*, That the committee on ways and means be requested to report to this House, by bill or otherwise, what measures, in their judg-

ment, ought to be adopted to prevent the further reduction of bank capital in the State of New York.

Said resolution giving rise to debate,

*Ordered*, That the same be laid on the table.

Mr. Spinola called from the table a resolution previously offered by him in the words following :

*Resolved* (if the Senate concur), That the Senators in Congress from this State be respectfully requested to use their influence for the passage in the United States Senate of the House bill extending the time for ex-officers and soldiers, who served during the late war, to apply for their pensions until January 1, 1880, and for paying such pensions from the date of muster out or discharge.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Tighe offered for the consideration of the House a resolution, in the words following :

*Whereas*, Charges have been and are made that the provisions of the act entitled "An act to provide for the licensing and government of the pilots and regulating the pilotage of the port of New York, passed June 28, 1853, and the acts amendatory thereof," have been and are being violated and disregarded by the commissioners appointed thereunder; that taxes and assessments not provided for by law are made, assessed and levied upon the pilots with the knowledge and consent of the commissioners, and that no report is ever made to the people of the proceedings had by said commissioners or of the amounts of moneys collected by them under the provisions of the law or otherwise; and,

*Whereas*, The provisions of said act above recited and the acts amendatory thereof do not, in any manner, provide for the making of any report by the pilot commissioners of their proceedings; and,

*Whereas*, It is important that the people should have full information of all proceedings had by the said pilot commissioners and of all their acts as such commissioners; therefore, be it

*Resolved*, That the committee on commerce and navigation be directed to inquire and examine into all the proceedings and actions of the pilot commissioners appointed under the provisions of the act passed June 28, 1863, and of the acts amendatory thereof; that they ascertain the amount of moneys collected from pilots and others by said commissioners, or by any other person or persons, and the disposition made thereof, as well as the amount of money taxed, assessed and levied upon the pilots by said commissioners, or by any other person or persons with their knowledge and consent, and that for the purpose of such investigation it is further resolved that said committee shall have power to send for persons and papers.

Said resolution giving rise to debate,

*Ordered*, That the same be laid on the table.

Mr. Williams called from the table the Senate resolutions, in the words following :

*Resolved* (if the Assembly concur), That 5,000 extra copies of the report of the State Assessors be printed for distribution among the supervisors and assessors of the various towns, cities and villages of the State. Said copies shall be distributed by the Secretary of State, so that each supervisor and assessor aforesaid shall receive one copy of said report.

*Resolved* (if the Assembly concur), That 2,000 extra copies be printed for the use of the Legislature, and 1,000 extra copies for the use of the State Assessors.

On motion of Mr. Williams, said resolutions were referred to the committee on public printing.

Leave of absence was granted to Mr. Hogeboom.

Mr. Speaker presented a communication from the Canal Department, transmitting the toll-sheets of 1877.

Mr. Alvord moved that said communication be referred to the committee on canals, and that the same be ordered printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The order of business, "third reading of bills," being announced,

Mr. Husted moved that said order of business be laid on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Marvin moved that the bill entitled "An act to amend the charter of the Arctic Fire Insurance Company of New York" be considered in the first committee of the whole, not full.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend chapter 767 of the Laws of 1872, entitled 'An act to establish the compensation of county judges and surrogates, pursuant to the fifteenth section of the amended sixth article of the Constitution.'"

Senate, "An act in relation to the foundling asylum of the Sisters of Charity in the city of New York."

"An act to amend the charter of the Arctic Fire Insurance Company of New York."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Lyon, from said committee, reported progress on said first mentioned bill, and asked and obtained leave to sit again.

Mr. Maynard moved to recommit said bill to the committee on ways and means to report the same back to the House, on Wednesday next, said bill retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Lyon, from said committee, also reported in favor of the passage of said second mentioned bill, with amendments; which report was agreed to, and said bill ordered to a third reading.

Mr. Lyon, from said committee, also reported progress on said third mentioned bill, and asked and obtained leave to sit again.

Mr. Marvin moved to recommit said bill to the committee on insurance retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act for the relief of John Black, an alien."

"An act to release the interest of the people of the State of New York in certain real estate in the city of New York to Letitia Hanson."

"An act to discontinue the Butternuts and Sherburne turnpike."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Billings, from said committee, reported in favor of the passage of said first and second mentioned bills; which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Billings, from said committee, also reported in favor of the passage of said third mentioned bill, with amendments; which report was agreed to, and said bill ordered engrossed for a third reading.

By unanimous consent,

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill entitled "An act further to amend chapter 483 of the Laws of 1860, entitled 'An act to revise the charter of the city of Oswego,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Speaker, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Fay	Maynard	Sanders
Baker	Filkin	McFalls	Santee
Barnes	Flecke	McGroarty	Shanley
Benedict	Floyd-Jones	McKee	Shannon
Berrigan	Gallagher	Mitchell	Sheldon
Billings	Galvin	Moller	Skillman
Bissell	Gere	Moody	Speaker
Bowen	Gilbert	Moore	Spicer
Bradley	J. G. Graham	Niven	Spinola
Braman	Gulick	Noyes	Strahan
Brick	Hayes	O'Hare	Suydam
J. H. Brown	Healy	Orr	Taylor
Burns	Herrick	Peck	Thistlethwaite
G. M. Case	Holahan	Piper	Tighe
T. A. Case	Husted	Post	Valentine
Corsa	King	Potter	Waddell
Coulter	Lang	Purdy	Webb
Cowdin	Langbein	H. H. Rockwell	Weiant
Cozans	Longyear	Rooney	Welsh
Dillmeier	Lyon	Ruggles	Wickes
Ecclesine	Marvin	Sager	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

Mr. Coulter moved that thif House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon, at 10 o'clock and 12 minutes, the House adjourned.



TUESDAY, MARCH 6, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Reese.

The journal of yesterday was read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to amend chapter 129 of the Laws of 1872, entitled 'An act to amend an act passed May 3, 1870, entitled An act to amend an act to incorporate the city of Troy,' passed April 12, 1816, and the several acts amendatory thereof, and also to amend other acts relating to the city of Troy,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to amend chapter 12 of the Laws of 1848, entitled 'An act in relation to the city of Troy, as amended by chapter 210 of the Laws of 1849, entitled An act to amend an act entitled An act in relation to the city of Troy,' passed January 28, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The Senate returned the bills entitled as follows:

"An act to amend an act passed March 31, 1864, to amend an act entitled 'An act in relation to the Syracuse City Water-works Company,' passed April 5, 1849."

"An act to amend chapter 787 of the Laws of 1872, entitled 'An act to establish the compensation of county judges and surrogates pursuant to the fifteenth section of the amended sixth article of the Constitution.'"

"An act to amend section 1 of chapter 638 of the Laws of 1867, entitled 'An act authorizing the New York Society for the Relief of the Ruptured and Crippled to hold real and personal estate.'"

*Ordered,* That the Clerk deliver said bills to the Governor.

A message from the Senate was received and read, requesting the concurrence of the Assembly to a resolution in the words following:

*Resolved,* That a respectful message be sent to the Assembly requesting the return to the Senate of Assembly bill No. 77, entitled "An act to authorize the payment of certain moneys out of the State Treasury to the heir-at-law of James Green, deceased."

On motion of Mr. Alvord, and by unanimous consent, said bill was returned to the Senate.

Leave of absence was granted to Messrs. Fish, Clapp and Hamilton.

Mr. Floyd-Jones moved that the bill entitled "An act to extend the charter of the Glen Cove Mutual Insurance Company, passed March 29, 1837, as the same was modified and amended by section 40 of the Session Laws of the State of New York, passed February 19, 1857," be considered in the first committee of the whole, not full.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to extend the charter of the Glen Cove Mutual Insurance Company, passed March 29, 1837, as the same was modified and amended by chapter 40 of the Session Laws of the State of New York, passed February 19, 1857."

"An act in relation to the bonded indebtedness of villages, cities, towns and counties."

"An act to extend to certain incorporated societies the application of the term 'public library' in section 4 of title 1, of chapter 13 of part 1 of the Revised Statutes, exempting certain property from taxation."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Webb, from said committee, reported in favor of the passage of said first and second mentioned bills, with amendments; which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Webb, from said committee, also reported that they had gone through with said third mentioned bill, had stricken out the first section, and instructed their chairman to report the same to the House.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill lost.

Mr. Husted moved to take from the table the report of the committee of the whole in the words following:

"Mr. Gere, from the committee of the whole, reported progress on the bill entitled 'An act to provide for the completion of the census or enumeration of the inhabitants of this State,' and asked leave to sit again."

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Husted moved to discharge the committee of the whole from the further consideration of said bill, and the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Ecclesine moved that the Senate bill entitled "An act to release to certain charitable institutions the interest of the people of the State of New York in certain personal property formerly of James Kelly of the city of New York, deceased," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act directing the Brooklyn Trust Company to pay over to the supervisor of the town of New Lots certain moneys deposited with them by the commissioners for the laying out, grading and improving Atlantic avenue in the town of New Lots, in the county of Kings."

"An act to amend chapter 667 of the Laws of 1872, entitled 'An act in relation to the cleaning of the streets, avenues, lanes, alleys, gutters, wharves, piers and head-slips in the city of New York, and the removal of all ashes, garbage, rubbish and sweepings, and all dead animals, blood, offal and other refuse matter, and all bones, fish not fit for human food, and all diseased, tainted and impure meats, and other like matters in said city, therefrom, and in relation to the supervision and enforcement

of and the cancellation of existing contracts and arrangements in respect thereto,' passed May 14, 1872."

Senate, "An act to release to certain charitable institutions the interest of the people of the State of New York, in certain personal property formerly of James Kelly of the city of New York, deceased."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Weiant, from said committee, reported in favor of the passage of said first mentioned bill, with amendments; which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Weiant, from said committee, also reported progress on said second mentioned bill, and asked and obtained leave to sit again.

Mr. Weiant, from said committee, also reported in favor of the passage of said third mentioned bill, with amendments; which report was agreed to, and said bill ordered to a third reading.

The Senate returned the bill entitled "An act to authorize the board of supervisors of the county of Columbia to provide for the payment of the principal of a portion of the bounty debt of said county by issuing new bonds," with a message informing that they had passed the same, with the following amendment:

Insert as section 3 the following:

§ 3. This act shall take effect immediately.

The amendment having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dimond	Marvin	Santee
Backenstose	Ecclesine	Maynard	Shanley
Baker	Fay	McFalls	Shannon
Barnes	Filkin	McGraw	Skillman
Berrigan	Fish	McGroarty	Skinner
Billings	Flecke	McKee	Speaker
Bissell	Floyd-Jones	Mitchell	Spicer
Bradley	Gallagher	Moody	Spinola
Braman	Galvin	Moore	Stein
Brick	Gere	Nachtmann	Suydam
Brill	J. G. Graham	O'Hare	Tabor
Bulmer	Gulick	Orr	Taylor
Burns	Hayes	Peck	Thistlethwaite
E. Case	Healy	Piper	Waddell
T. A. Case	Herbst	Post	Webb
Clark	Humphrey	Potter	Weiant
Coulter	Husted	Purdy	Welsh
Cowdin	Keator	Rice	Wemple
Cozans	Lang	H. H. Rockwell	Wickes
Crowley	Langbein	Ruggles	Williams
Davenport	Langner	Sager	Winch
Dillmeier	Longyear		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendment.

Mr. Bowen offered for the consideration of the House a resolution, in the words following:

*Resolved*, That bill No. 201, entitled "An act to extend the time for the collection of taxes in the town of Plattsburgh," be considered in the next committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Alvord moved that the time of the session, after 2 o'clock to-day, be extended, for the purpose of introduction of bills and reports of standing committees.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Cozans rose to a question of privilege, saying that he regretted to do so. He referred to a statement in the New York Times' Albany correspondence of to-day, intimating that he had been instrumental in surreptitiously inserting in a bill in relation to salaries of county officers, under discussion last evening, an increase of the salary of the surrogate of New York county. He said if the reporter had informed himself as to the facts in the case, he would have ascertained that his statement had no basis of truth. The explanation of the chairman of the ways and means had placed the matter in a clear light, and should have satisfied him on that point. He did not think it necessary to say to this House that he (Mr. Cozans) would not be guilty of such an act, and he animadverted severely upon the article in question, as drawing wrong and unjust inferences. The bill was introduced to benefit the county of Niagara, and in order to render it complete, as other counties were also included, it was necessary to include the sections of the amended bill. It would not affect the surrogate of New York. He had great respect for the members of the press on the floor, but he hoped that they would be more careful in making charges and aspersions without accurate information.

Mr. Hayes also rose to a question of privilege, and stated that he found in the Argus of Saturday a personal allusion to himself, which, perhaps, would not be entitled to be called a question of privilege, only that it referred to him as a Member of Assembly. He asked that the Clerk read the article, which is as follows:

"It is said that when Dr. L. I. Hayes, Member of Assembly from New York, and a relative of the usurping President, heard that Madison Wells' choice had been declared elected, he remarked: 'As a Republican I am glad of it; but, as an American citizen, I am ashamed of it,'"

In reference to this, Mr. Hayes said: I only wish to say that whatever may have been the motive in inserting it, whether it may have been intended as a bad practical joke on the part of the editor of the Argus, or what might have been the motive, I wish simply to have it recorded in the journal that the whole of it from beginning to end is an unmitigated lie.

Mr. Braman offered for the consideration of the House a privileged resolution, in the words following:

*Resolved*, That Senate bill No. 87, entitled "An act authorizing the board of trustees of the village of West Troy to contract for a supply of water for public purposes," be recommitted to the committee on affairs of villages, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Marvin offered for the consideration of the House a resolution, in the words following :

*Resolved*, That Assembly bill No. 250, entitled "An act in relation to the Inebriates' Home for Kings county, and to amend chapter 514 of the Laws of 1871, entitled 'An act to amend an act entitled An act to incorporate the Inebriates' Home for Kings county,' passed May 9, 1867, and the acts amendatory thereof, passed April 30, 1868," be considered in the first committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

Mr. Alvord moved to lay the further consideration of general orders on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Bowen introduced a bill entitled "An act to authorize the Commissioners of the Land Office to sell and convey lands in Clinton county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Maynard introduced a bill entitled "An act to authorize the First Presbyterian Church of Kortright, Delaware county, to change its corporate name, and to legalize the acts of the trustees of said church heretofore done under the name of the trustees of the United Presbyterian Church of Kortright, and to legalize all the proceedings had by said church under the name of said United Presbyterian Church," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Welsh introduced a bill entitled "An act for the more efficient protection of judgment creditors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Tabor introduced a bill entitled "An act to release the interest of the people of the State of New York in and to all moneys arising from the sale in partition of certain real estate premises, situate in the city of Buffalo, and to rents collected therefrom, to August Steinhoff and Philip Steinhoff," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

Also, a bill entitled "An act to amend subdivision 3 of section 11 of title 11 of the Code of Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to amend an act entitled 'An act to prohibit clerks of the courts in the State from practicing as attorneys and counsel in their respective courts,' passed April 15, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Langner introduced a bill entitled "An act extending the time for Maria Matilda Thompson to file her claim for damages with the Canal

Appraisers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

Mr. Gallagher introduced a bill entitled "An act to amend an act entitled 'An act to revise the charter of the city of Buffalo,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Humphrey introduced a bill entitled "An act to enable the presidents, directors and companies of the Albany and Greene, Catskill and Mountain and Susquehanna turnpike roads to abandon parts of their roads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Suydam introduced a bill entitled "An act to release to Henry L. Schmeelk the interest of the people of the State of New York in a certain island formed in Jamaica bay," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

Mr. Langbein introduced a bill entitled "An act relative to foreign incorporations and associations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Cowdin introduced a bill entitled "An act to facilitate the negotiation of bills of lading and other commercial instruments, and to punish fraud therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Mitchell introduced a bill entitled "An act to create a department, to be known as the department of street cleaning of the city of New York, and to provide for the more thorough and efficient cleaning of the streets of said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Corsa introduced a bill entitled "An act relating to the police department and the police force of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Backenstose introduced a bill entitled "An act to amend an act entitled 'An act to revise and consolidate the laws in relation to the village of Geneva, in the county of Ontario,' passed March 3, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Barnes introduced a bill entitled "An act to exempt Otsego county from the provisions and operations of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Wiandt introduced a bill entitled "An act to extend the time for the collection of taxes in the several towns in the county of Rockland," which was read the first time, and by unanimous consent was also read the second time, when

On motion of Mr. Wiandt, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Ecclesine	Langner	Ruggles
Backenstose	Fay	Lyon	Sager
Baker	Filkin	Maher	Santee
Barnes	Fish	Marvin	Shanley
Berrigan	Flecke	Maynard	Shannon
Billings	Floyd-Jones	McFalls	Sheldon
Bissell	Galvin	McGraw	Skillman
Bowen	Gere	McGroarty	Speaker
Braman	Grady	McKee	Spicer
Brick	J. G. Graham	Mitchell	Spinola
Brill	Gulick	Moller	Stein
Bulmer	Hamilton	Moore	Suydam
Burns	Hayes	Nachtmann	Tabor
T. A. Case	Healy	O'Hare	Taylor
Childs	Herrick	Orr	Thistlethwaite
Corsa	Herbst	Peck	Waddell
Coulter	Holahan	Piper	Webb
Cowdin	Humphrey	Post	Weiant
Cozans	Husted	Potter	Wemple
Crowley	Keator	Rice	Wickes
Davenport	Lang	H. H. Rockwell	Winch
Dillmeier	Langbein	Rooney	

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Baker introduced a bill entitled "An act to provide means for the ordinary repairs of the canals, preparatory to opening them for the present year," which was read the first time, and by unanimous consent was also read the second time, when

On motion of Mr. Baker, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Ecclesine	Langner	Sager
Backenstose	Fay	Longyear	Sanders
Baker	Filkin	Lyon	Santee
M. L. Baldwin	Fish	Marvin	Shannon
Barnes	Flecke	Maynard	Sheldon
Berrigan	Floyd-Jones	McGraw	Skillman
Billings	Gallagher	McKee	Skinner

Bissell	Dillmeier	Mitchell	Speaker
Bowen	Galvin	Moller	Spicer
Braman	Gere	Moody	Stephenson
Brick	Gulick	Moore	Suydam
Brill	Hamilton	Nachtmann	Tabor
Bulmer	Hayes	O'Hare	Taylor
Burns	Healy	Orr	Thistlethwaite
Clark	Herrick	Peck	Tighe
Corsa	Herbst	Piper	Webb
Coulter	Holahan	Post	Weiant
Cowdin	Husted	Potter	Wemple
Cozans	Keator	Rice	Wickes
Crowley	Lang	Rooney	Winch
Davenport	Langbein	Ruggles	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Marvin introduced a bill entitled "An act to amend chapter 172 of the Laws of 1862, entitled 'An act to amend the act entitled An act concerning the rights and liabilities of husband and wife, and also to amend section 1, and to repeal section 16 of title 3, chapter 1, part 2 of the Revised Statutes,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Gere introduced a bill entitled "An act to authorize the formation of a mutual insurance company in the towns of Catskill and Athens, in the county of Greene," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Post, from the committee on State prisons, to which was referred the bill introduced by Mr. Post, Int. No. 631, entitled "An act in relation to the Superintendent of State Prisons, and for their more efficient and economical management," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Barnes, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act making appropriations for the support of government."

"An act to incorporate the Grand Lodge of the Ancient Order of United Workmen of the State of New York."

"An act to provide for the construction of fishways in the State dams across the Oswego, Oneida and Seneca rivers."

"An act to release the interest of the people of the State of New York in certain real estate in the city of New York to Letitia Hanson."

"An act for the relief of John Black, an alien."

Mr. Speaker presented a report of the commission to devise a plan for the government of cities in the State of New York; which was laid on the table and ordered printed.

(See Doc. No. 68.)

Whereupon, at 2 o'clock and 15 minutes, the House took a recess until 7½ o'clock.



## HALF-PAST SEVEN O'CLOCK.

The House again met.

The House resolved itself into a committee of the whole on the bills entitled as follows:

"An act in relation to the Inebriates' Home for Kings county, and to amend chapter 514 of the Laws of 1871, entitled 'An act to amend an act entitled An act to incorporate the Inebriates' Home for Kings county,' passed May 9, 1867, and the act amendatory thereof, passed April 30, 1868."

"An act to extend the time for the collection of taxes in the town of Plattsburgh, in the county of Clinton."

"An act to amend section 3 of chapter 443 of the Laws of 1876, entitled 'An act supplemental to the act entitled An act to revise the charter of the city of Syracuse,' passed March 3, 1857, and the acts amendatory thereto, passed June 2, 1876."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Potter, from said committee, reported in favor of the passage of said first and second mentioned bills; which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Potter, from said committee, also reported progress on said third mentioned bill, and asked and obtained leave to sit again.

Mr. Fish moved that the bill entitled "An act to amend chapter 742 of the Laws of 1871, entitled 'An act in relation to storage and the keeping of combustible material in the city of New York, the use and control of the fire-alarm telegraph, the incumbrance of hydrants, and other purposes connected with the prevention and extinguishment of fires therein, and imposing certain powers and duties upon the board of fire commissioners of the said city,' be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Corsa moved that Assembly bill No. 139, entitled "An act to amend section 7 of chapter 633 of the Laws of 1866, entitled 'An act in relation to the benevolent fund of the late volunteer fire department in the city of New York,' be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

Senate, "An act to release the right, title and interest of the people of the State of New York in and to certain real estate, of which Thomas Dalton died seized, to William E. Duncan."

"An act to amend section 7 of chapter 633 of the Laws of 1866, entitled 'An act in relation to the benevolent fund of the late volunteer fire department in the city of New York,' passed April 17, 1866, as amended by chapter 962 of the Laws of 1867, and as further amended by chapter 297 of the Laws of 1870."

"An act to amend chapter 742 of the Laws of 1871, entitled 'An act

in relation to storage and the keeping of combustible material in the city of New York, the use and control of the fire-alarm telegraph, the incumbrance of hydrants, and other purposes connected with the prevention and extinguishment of fires therein, and imposing certain powers and duties upon the board of fire commissioners of the said city."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tabor, from said committee, reported in favor of the passage of said first mentioned bill; which report was agreed to, and said bill ordered to a third reading.

Mr. Tabor, from said committee, also reported in favor of the passage of said second mentioned bill; which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Tabor, from said committee, also reported progress on said third mentioned bill, and asked and obtained leave to sit again.

Mr. Cozans moved to discharge the committee of the whole from the further consideration of said bill, and the same be ordered to a third reading with the amendments adopted in the committee of the whole.

Mr. Fish moved to amend said motion by striking out all after the word "reading."

Mr. Fish moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the negative.

{ AYES 40 }  
{ NOES 49 }

Those who voted in the affirmative, were

Alvord	Fish	McFalls	Skinner
Baker	Flecke	McKee	Spicer
Billings	Galvin	Mitchell	Stephenson
Bowen	Gere	Moody	Snydam
Braman	Gilbert	Moore	Thistlethwaite
E. Case	Hayes	Peck	Valentine
T. A. Case	Hodges	Potter	Waddell
Clapp	Husted	Santee	Webb
Corbett	Keator	Sheldon	Welsh
Corsa	Lang	Skillman	Williams

Those who voted in the negative, were

Benedict	Dillmeier	Lyon	Ruggles
Berrigan	Ecclesine	Maher	Sanders
Bissell	Floyd-Jones	Maynard	Shanley
Bradley	Grady	McGroarty	Shannon
Brick	Gulick	Moller	Spinola
Brill	Healy	Nachtmann	Stein
J. H. Brown	Herrick	Orr	Tabor
Childs	Holahan	Piper	Taylor
Clark	King	Proper	Tighe
Coulter	Langbein	Purdy	Wemple
Cozans	Langner	Rice	Wickes
Crowley	Longyear	H. H. Rockwell	Winch
Davenport			

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Fish, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Corsa, and it was determined in the affirmative.

Whereupon, the House at 9 o'clock and 30 minutes, adjourned.

### WEDNESDAY, MARCH 7, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Bedell.

The journal of yesterday was read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act in relation to the compensation of the several officers, keepers, guards, matrons and teachers of the Sing Sing, Auburn and Clinton prisons, and the superintendent of the State lunatic asylum for insane convicts at Auburn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

Pursuant to 9th joint rule, Mr. Speaker announced the order of business, "third reading of bills."

The bill entitled "An act to incorporate the Grand Lodge of the Ancient Order of United Workmen of the State of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davenport	McFalls	Sager
Backenstose	Dillmeier	McGraw	Sanders
M. L. Baldwin	Dimond	McKee	Santee
Barnes	Fish	Mitchell	Shanley
Benedict	Floyd-Jones	Moller	Shannon
Berrigan	Gallagher	Moody	Skillman
Billings	Galvin	Moore	Skinner
Billington	Gere	Neilson	Sliter
Bowen	J. G. Graham	Niven	Spicer
Bradley	J. S. Graham	Noyes	Stein
Brick	Gulick	O'Hare	Stephenson
Bulmer	Hamilton	Peck	Suydam
E. Case	Healy	Piper	Tabor
G. M. Case	Herbst	Post	Tighe
T. A. Case	Humphrey	Potter	Valentine
Clapp	Keator	Proper	Waddell
Clark	King	Rice	Webb
Corbett	Langbein	H. H. Rockwell	Weiant
Corsa	Langner	W. L. Rockwell	Wemple

Coulter	Lyon	Rooney	Williams
Cozans	Maher	Ruggles	Winch
Crowley	Marvin		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to change the name of the Rochester and Pine Creek Railroad Company to that of the Silver Lake Railroad Company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 93 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dimond	Marvin	Sager
Backenstose	Ecclesine	Maynard	Sanders
M. L. Baldwin	Fish	McGraw	Santee
Barnes	Floyd-Jones	McGroarty	Shanley
Benedict	Gallagher	McKee	Shannon
Berrigan	Galvin	Mitchell	Skinner
Billings	Gere	Moller	Sliter
Billington	J. S. Graham	Moody	Smith
Bissell	Gulick	Moore	Speaker
Bowen	Hamilton	Neilson	Spicer
Bradley	Hammond	Niven	Stein
Brick	Hayes	Noyes	Stephenson
J. H. Brown	Healy	O'Hare	Suydam
E. Case	Herbst	Peck	Tabor
G. M. Case	Holahan	Piper	Taylor
T. A. Case	Humphrey	Post	Tighe
Clapp	Husted	Potter	Valentine
Clark	Keator	Proper	Waddell
Corbett	King	Rice	Webb
Corsa	Langbein	H. H. Rockwell	Weiant
Coulter	Langner	W. L. Rockwell	Wemple
Cozans	Lyon	Rooney	Williams
Crowley	Maher	Ruggles	Winch
Davenport			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act in relation to the foundling asylum of the Sisters of Charity in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Dillmeier	McFalls	Santee
M. L. Baldwin	Dimond	McGroarty	Shanley

Barnes	Ecclesine	McKee	Shannon
Berrigan	Fish	Moller	Skillman
Billings	Floyd-Jones	Moody	Skinner
Bissell	Gallagher	Nachtmann	Sliter
Bowen	Galvin	Neilson	Spicer
Bradley	Gere	Niven	Spinola
Brick	J. G. Graham	O'Hare	Stein
J. H. Brown	J. S. Graham	Peck	Suydam
J. S. Brown	Hamilton	Piper	Tabor
Bulmer	Hammond	Post	Tighe
E. Case	Healy	Potter	Waddell
T. A. Case	Herbst	Purdy	Webb
Corbett	Holahan	Rice	Weiant
Corsa	Keator	H. H. Rockwell	Welsh
Coulter	King	W. L. Rockwell	Wickes
Cozans	Langbein	Rooney	Williams
Crowley	Lyon	Ruggles	Winch
Davenport	Maynard	Sanders	

For the negative,  
Backenstose

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

Mr. Welsh, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to extend the charter of the Glen Cove Mutual Insurance Company, passed March 29, 1837, as the same was modified and amended by chapter 40, of the Session Laws of the State of New York, passed February 19, 1857."

"An act in relation to the bonded indebtedness of villages, cities, towns and counties."

"An act to provide for the completion of the census or enumeration of the inhabitants of this State."

"An act directing the Brooklyn Trust Company to pay over to the supervisor of the town of New Lots, certain moneys deposited with them by the commissioners for the laying out, grading and improving Atlantic avenue in the town of New Lots, in the county of Kings."

"An act in relation to the Inebriates' Home for Kings county, and to amend chapter 514 of the Laws of 1871, entitled 'An act to amend an act entitled An act to incorporate the Inebriates' Home for Kings county,' passed May 9, 1867, and the act amendatory thereof, passed April 30, 1868."

"An act to extend the time for the collection of taxes in the town of Plattsburgh, in the county of Clinton."

Leave of absence was granted to Mr. Cowdin until Thursday.

The Senate bill entitled "An act to repeal chapter 116 of the Laws of 1836, entitled 'An act to incorporate the Butternuts and Sherburne Turnpike Company and to continue the turnpike therein authorized, and declaring it to be a public highway,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 85 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Floyd-Jones	McFalls	Sager
Barnes	Gallagher	McGraw	Sanders
Benedict	Galvin	McGroarty	Santee
Berrigan	Gere	McKee	Shannon
Billings	Gilbert	Moller	Skillman
Billington	J. G. Graham	Moody	Skinner
Bissell	Gulick	Moore	Sliter
Bradley	Hamilton	Nachtmann	Speaker
J. H. Brown	Hammond	Neilson	Spicer
E. Case	Healy	Niven	Stein
G. M. Case	Herbst	O'Hare	Suydam
T. A. Case	Holahan	Peck	Taylor
Clapp	Humphrey	Piper	Thistlethwaite
Clark	Husted	Post	Tighe
Corbett	Keator	Potter	Valentine
Corsa	King	Proper	Waddell
Cozans	Langbein	Purdy	Webb
Crowley	Langner	Rice	Weiant
Davenport	Lyon	H. H. Rockwell	Welsh
Dillmeier	Maher	W. L. Rockwell	Wemple
Dimond	Marvin	Rooney	Williams
Fay			

For the negative,

Ruggles

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The bill entitled "An act to extend the charter of the Glen Cove Mutual Insurance Company, passed March 29, 1837, as the same was modified and amended by chapter 40 of the Session Laws of the State of New York, passed February 19, 1857," being announced for a third reading,

On motion of Mr. Alvord, and by unanimous consent, said bill was amended by amending the title by striking out the word "session;" also the words "the State of New York" and insert in lieu thereof "1857."

Said bill, as amended, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dillmeier	Maher	Sager
Baker	Dimond	Marvin	Sanders
M. L. Baldwin	Ecclesine	Maynard	Shannon
Barnes	Fay	McFalls	Skillman

Benedict	Floyd-Jones	McGraw	Skinner
Berrigan	Gallagher	McKee	Sliter
Billings	Galvin	Moody	Spicer
Billington	Gere	Moore	Stein
Bissell	J. S. Graham	Nachtmann	Stephenson
Bowen	Gulick	Neilson	Stone
Bradley	Hamilton	Niven	Suydam
J. H. Brown	Hammond	O'Hare	Tabor
Bulmer	Hayes	Peck	Thistlethwaite
E. Case	Herbst	Piper	Valentine
G. M. Case	Holahan	Post	Waddell
T. A. Case	Humphrey	Potter	Webb
Clapp	Keator	Rice	Weiant
Clark	King	H. H. Rockwell	Welsh
Corbett	Langbein	W. L. Rockwell	Wemple
Crowley	Langner	Rooney	Williams
Davenport	Lyon		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to extend the time for the collection of taxes in the town of Plattsburgh, in the county of Clinton," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 94 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crowley	Lang	Rooney
Baker	Davenport	Langbein	Ruggles
M. L. Baldwin	Dillmeier	Langner	Sager
Barnes	Dimond	Lyon	Sanders
Benedict	Ecclesine	Maynard	Santee
Berrigan	Fay	McFalls	Shanley
Billings	Fish	McGraw	Shannon
Billington	Flecke	McGroarty	Skillman
Bissell	Floyd-Jones	McKee	Skinner
Bowen	Gallagher	Moody	Speaker
Bradley	Galvin	Moore	Spicer
Brick	Gere	Nachtmann	Stephenson
J. H. Brown	Grady	Neilson	Suydam
Bulmer	J. S. Graham	Niven	Tabor
Burns	Gulick	Noyes	Thistlethwaite
E. Case	Hamilton	O'Hare	Tighe
G. M. Case	Hammond	Peck	Valentine
T. A. Case	Herrick	Piper	Waddell
Clapp	Herbst	Post	Webb
Clark	Holahan	Purdy	Welsh
Corbett	Humphrey	Rice	Wemple
Corsa	Husted	H. H. Rockwell	Williams
Coulter	Keator	W. L. Rockwell	Winch
Cozans	King		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act making appropriation for the support of government," being announced for a third reading,

Mr. Lang moved to recommit said bill to the committee on ways and means, with instructions to amend the same by striking out lines 338 to 345, printed bill, inclusive, in words following: "For the commissioners to revise the statutes, appointed under chapter thirty-three of the Laws of eighteen hundred and seventy, for their salaries, from October first, eighteen hundred and seventy-seven, to May first, eighteen hundred and seventy-eight, when their term of office will expire, eight thousand seven hundred and fifty dollars; for their expenses for clerical services and other incidental matters, three thousand five hundred dollars; and in addition thereto, one thousand seven hundred and fifty dollars, for the general expenses of the commission, to be expended under the direction of the commissioners;" and to report said bill back to the House forthwith, the same to retain its place on the order of "third reading of bills."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 52 }  
{ NOES 58 }

Those who voted in the affirmative, were

Alvord	Coulter	McFalls	Sanders
Backenstose	Crowley	Moller	Shannon
Baker	Davenport	Moody	Skillman
M. L. Baldwin	Dimond	Nachtmann	Spicer
Barnes	Ecclesine	Niven	Spinola
Benedict	Fay	O'Hare	Stein
Berrigan	Grady	Piper	Suydam
Billings	Herbst	Potter	Tabor
Bissell	Holahan	Proper	Waddell
Bowen	Humphrey	Purdy	Weiant
J. H. Brown	Keator	Rice	Welsh
E. Case	Lang	W. L. Rockwell	Wemple
Clapp	Langner	Rooney	Winch

Those who voted in the negative, were

Billington	Galvin	Maynard	Santee
J. S. Brown	Gere	McGraw	Shanley
Bulmer	Gilbert	McGroarty	Sheldon
G. M. Case	J. G. Graham	McKee	Skinner
T. A. Case	J. S. Graham	Mitchell	Sliter
Clark	Gulick	Moore	Smith
Corbett	Hamilton	Neilson	Speaker
Corsa	Hammond	Noyes	Stephenson
Cozans	Hayes	Orr	Strahan
Dillmeier	Healy	Peck	Taylor
Filkin	Herrick	Post	Thistlethwaite
Fish	Husted	H. H. Rockwell	Tighe
Flecke	Langbein	Ruggles	Valentine
Floyd-Jones	Maher	Sager	Webb
Gallagher	Marvin		



Mr. Ruggles moved to recommit said bill to the committee on ways and means with instructions to amend the same by striking out the word "eighteen," in line 415, printed bill, and inserting in lieu thereof the word "twelve," and to report said bill back to the House forthwith, retaining its place on the order of business third reading of bills.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 24 }  
{ NOES 84 }

Those who voted in the affirmative, were

Backenstose	Holahan	Purdy	Sanders
Benedict	Humphrey	Rice	Spinola
Davenport	Nachtmann	H. H. Rockwell	Suydam
Dimond	O'Hare	Rooney	Thistlethwaite
Ecclesine	Peck	Ruggles	Welsh
Grady	Piper	Sager	Winch

Those who voted in the negative, were

Alvord	Crowley	King	Santee
Baker	Dillmeier	Langbein	Shanley
M. L. Baldwin	Fay	Maher	Shannon
Barnes	Filkin	Marvin	Sheldon
Berrigan	Fish	Maynard	Skillman
Billings	Flecke	McFalls	Skinner
Bissell	Floyd-Jones	McGraw	Sliter
Bowen	Gallagher	McGroarty	Smith
Brick	Galvin	McKee	Speaker
J. S. Brown	Gere	Mitchell	Spioer
Bulmer	Gilbert	Moller	Stein
Burns	J. S. Graham	Moody	Stephenson
E. Case	Gulick	Moore	Strahan
G. M. Case	Hamilton	Neilson	Tabor
T. A. Case	Hammond	Niven	Tighe
Clapp	Hayes	Noyes	Valentine
Clark	Healy	Orr	Waddell
Corbett	Herrick	Post	Webb
Corsa	Herbst	Potter	Weiant
Coulter	Husted	Proper	Wemple
Cozans	Keator	W. L. Rockwell	Williams

Mr. Gere moved to recommit said bill to the committee on ways and means with instructions to amend the same in line 290, printed bill, by striking out the word "three" and inserting in lieu thereof the word "two," and report said bill back to the House forthwith, retaining its place on the order of business third reading of bills.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 29 }  
{ NOES 76 }

Those who voted in the affirmative, were

Backenstose	Hammond	Niven	Sheldon
Billings	Healy	Piper	Sliter

Burns	Holahan	Potter	Spinola
T. A. Case	Humphrey	Purdy	Stein
Clapp	King	Rooney	Valentine
Coulter	McFalls	Sanders	Weiant
Fish	Mitchell	Santee	Winch
Gere			

Those who voted in the negative, were

Alvord	Davenport	Langbein	H. H. Rockwell
Baker	Dillmeier	Langner	W. L. Rockwell
M. L. Baldwin	Dimond	Longyear	Ruggles
Barnes	Ecclesine	Maher	Sager
Benedict	Fay	Marvin	Shanley
Berrigan	Filkin	Maynard	Shannon
Billington	Floyd-Jones	McGraw	Skinner
Bissell	Gallagher	McGroarty	Smith
Bowen	Galvin	McKee	Speaker
Brick	Gilbert	Moller	Stephenson
J. S. Brown	Grady	Moore	Strahan
Bulmer	J. G. Graham	Nachtmann	Tabor
E. Case	Gulick	Neilson	Taylor
G. M. Case	Hamilton	Noyes	Thistlethwaite
Clark	Hayes	O'Hare	Tighe
Corbett	Herrick	Orr	Waddell
Corsa	Herbst	Peck	Welsh
Cozans	Husted	Post	Wemple
Crowley	Keator	Rice	Williams

Mr. Spinola moved to recommit said bill to the committee on ways and means with instructions to amend the same in line 290, printed bill, by striking out the words "three hundred thousand dollars" and inserting in lieu thereof the words "fifty thousand dollars," and to report said bill back to the House forthwith, retaining its place on the order of business third reading of bills.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 34 }  
{ NOES 62 }

Those who voted in the affirmative, were

Backenstose	Fish	Nachtmann	Spicer
Bissell	Gere	Niven	Spinola
Brill	Hammond	Purdy	Stein
Burns	Healy	Rooney	Thistlethwaite
E. Case	Humphrey	Ruggles	Valentine
G. M. Case	King	Sanders	Weiant
T. A. Case	McFalls	Santee	Welsh
Clapp	Mitchell	Sliter	Winch
Corbett	Moody		

Those who voted in the negative, were

Alvord	Dimond	Langbein	Sager
Baker	Ecclesine	Langner	Shanley
M. L. Baldwin	Fay	Maher	Shannon
Barnes	Floyd-Jones	Marvin	Skinner

Benedict	Gallagher	McGraw	Smith
Billings	Galvin	McGroarty	Speaker
Brick	Grady	McKee	Stephenson
J. S. Brown	J. G. Graham	Moller	Strahan
Bulmer	J. S. Graham	Moore	Suydam
Clark	Gulick	O'Hare	Tabor
Corsa	Hayes	Orr	Taylor
Coulter	Herrick	Peck	Tighe
Cozans	Herbst	Post	Waddell
Crowley	Holahan	Potter	Wemple
Davenport	Husted	Rice	Williams
Dillmeier	Keator		

Mr. Spinola moved to recommit said bill to the committee on ways and means with instructions to amend the same by striking out line 409, printed bill, in the words following: "For the support and care of State paupers, twenty-five thousand dollars," and to report said bill back to the House forthwith, retaining its place on the order of business third reading of bills.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 13 }  
{ NOES 79 }

Those who voted in the affirmative, were

J. S. Brown	Holahan	Mitchell	Purdy
Ecclesine	Humphrey	Nachtmann	Rooney
Flecke	Langner	O'Hare	Spinola
Grady			

Those who voted in the negative, were

Alvord	Fay	McFalls	Santee
M. L. Baldwin	Floyd-Jones	McGraw	Shanley
Barnes	Gallagher	McGroarty	Shannon
Berrigan	Galvin,	McKee	Sheldon
Bissell	Gere	Moller	Skinner
Bowen	Gilbert	Moody	Smith
Brill	J. G. Graham	Moore	Speaker
Bulmer	J. S. Graham	Neilson	Spicer
E. Case	Hamilton	Niven	Stein
G. M. Case	Hammond	Orr	Stephenson
T. A. Case	Hayes	Peck	Strahan
Clapp	Herrick	Piper	Suydam
Clark	Herbst	Post	Thistlethwaite
Corbett	Husted	Potter	Tighe
Corsa	Keator	Rice	Webb
Coulter	King	H. H. Rockwell	Welsh
Cozans	Langbein	W. L. Rockwell	Wemple
Crowley	Lyon	Ruggles	Williams
Dillmeier	Maher	Sager	Winch
Dimond	Marvin	Sanders	

Mr. Spinola moved to recommit said bill to the committee on ways and means with instructions to amend the same in lines 233 and 234, printed bill, by striking out the words "one hundred thousand" and

inserting in lieu thereof the words "seventy-five thousand," and to report said bill back to the House forthwith, retaining its place on the order of business third reading of bills.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 107 }  
{ NOES 5 }

Those who voted in the affirmative, were

Alvord	Davenport	Lyon	Santee
Baker	Dillmeier	Maher	Shanley
M. L. Baldwin	Dimond	Marvin	Shannon
Barnes	Fay	Maynard	Skillman
Benedict	Filkin	McFalls	Skinner
Berrigan	Fish	McGraw	Sliter
Billings	Flecke	McGroarty	Smith
Billington	Floyd-Jones	McKee	Speaker
Bissell	Gallagher	Mitchell	Spicer
Bowen	Galvin	Moller	Stein
Bradley	Gere	Moody	Stephenson
Brick	Gilbert	Moore	Strahan
Brill	J. G. Graham	Nachtmann	Suydam
J. H. Brown	J. S. Graham	Neilson	Tabor
J. S. Brown	Gulick	Niven	Taylor
Bulmer	Hamilton	Noyes	Thistlethwaite
Burns	Hammond	Orr	Tighe
E. Case	Hayes	Peck	Valentine
G. M. Case	Hepburn	Piper	Waddell
T. A. Case	Herbst	Post	Webb
Clapp	Humphrey	Potter	Weiant
Clark	Husted	Rice	Welsh
Corbett	Keator	H. H. Rockwell	Wemple
Corsa	King	W. L. Rockwell	Wickes
Coulter	Lang	Rooney	Williams
Cowdin	Langbein	Sager	Winch
Cozans	Langner	Sanders	

Those who voted in the negative, were

Grady	O'Hare	Ruggles	Spinola
Holahan			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. H. H. Rockwell offered for the consideration of the House a resolution, in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to his excellency the Governor asking for the return of Assembly bill, Int. No. 523, entitled "An act to amend an act entitled 'An act to revise and consolidate the several acts relating to the city of Elmira,'" for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered,* That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Strahan moved to take from the table the report of the committee on the judiciary in the words following:

"Mr. Strahan, from the committee on the judiciary, to which was recommitted the bill Int. No. 223, entitled 'An act in relation to bets, wagers and pools,' retaining its place on third reading, reported in favor of the passage of the same."

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Gallagher moved to recommit said bill to the committee on the judiciary with instructions to strike out in line 2, printed bill, after the word "building," the words "or occupy any place upon public or private grounds anywhere within the State with apparatus or paraphernalia." Line 4, after the word "skill," insert the word "speed;" same line, after the word "or," insert the words "power of." Line 5, after the word "endurance," insert the words "of man or beast," said bill retaining its place on the order of business third reading of bills.

Mr. Husted moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Gallagher, and it was determined in the negative.

{ AYES 18 }  
{ NOES 89 }

Those who voted in the affirmative, were

Berrigan	Crowley	Galvin	Proper
Bissell	Davenport	Hamilton	Rooney
J. S. Brown	Dimond	Langner	Tabor
Burns	Filkin	Piper	Tighe
Coulter	Gallagher		

Those who voted in the negative, were

Alvord	Fish	McGraw	Shanley
Backenstose	Flecke	McGroarty	Sheldon
Baker	Gere	McKee	Skillman
M. L. Baldwin	Gilbert	Mitchell	Skinner
Barnes	J. G. Graham	Moller	Smith
Benedict	J. S. Graham	Moody	Speaker
Billings	Gulick.	Moore	Spicer
Billington	Hammond	Nachtmann	Spinola
Bowen	Hayes	Niven	Stein
Bradley	Healy	Noyes	Stephenson
J. H. Brown	Hepburn	O'Hare	Strahan
Bulmer	Herrick	Orr	Suydam
G. M. Case	Humphrey	Peck	Taylor
E. Case	Husted	Post	Thistlethwaite
T. A. Case	Keator	Potter	Valentine
Clapp	King	Purdy	Webb
Corbett	Lang	Rice	Weiant
Corsa	Langbein	H. H. Rockwell	Welsh

Cowdin	Lyon	Ruggles	Wemple
Cozans	Marvin	Sager	Wickes
Dillmeier	Maynard	Sanders	Williams
Ecclesine	McFalls	Santee	Winch
Fay			

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }  
{ NOES 10 }

Those who voted in the affirmative, were

Alvord	Dillmeier	Lyon	Sheldon
Backenstose	Dimond	Maher	Skillman
Baker	Ecclesine	Maynard	Skinner
M. L. Baldwin	Filkin	McFalls	Sliter
Barnes	Fish	McGraw	Smith
Berrigan	Flecke	McKee	Speaker
Billings	Galvin	Mitchell	Spicer
Billington	Gere	Moller	Stein
Bissell	Gilbert	Moody	Stephenson
Bowen	Grady	Moore	Strahan
Bradley	J. G. Graham	Noyes	Snydam
Brick	J. S. Graham	Orr	Tabor
J. H. Brown	Gulick	Peck	Taylor
J. S. Brown	Hammond	Post	Thistlethwaite
Bulmer	Hayes	Potter	Valentine
E. Case	Hepburn	Purdy	Waddell
G. M. Case	Herrick	Rice	Webb
T. A. Case	Herbst	H. H. Rockwell	Weiant
Clapp	Humphrey	Ruggles	Welsh
Corbett	Husted	Sager	Wemple
Corsa	King	Sanders	Wickes
Cowdin	Langbein	Santee	Williams
Cozans	Langner	Shannon	Winch

Those who voted in the negative, were

Burns	Davenport	O'Hare	Proper
Coulter	Healy	Piper	Rooney
Crowley	Nachtmann		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Alvord moved that the time of this session be extended for the purpose of introduction of bills and reports of standing committees.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Moody introduced a bill entitled "An act to amend chapter 482 of the Laws of 1875, amended by chapter 257 of the Laws of 1876, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of

supervisors,'” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Skinner introduced a bill entitled “An act to amend section 30 of chapter 714 of the Laws of 1869, entitled ‘An act to incorporate the city of Watertown,’” which was read the first time, and by unanimous consent, was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled “An act to amend subdivision 1 of section 307 of the Code of Procedure,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Stephenson introduced a bill entitled “An act relating to the government of the county of Kings,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled “An act to suppress intemperance, pauperism and crime, and to regulate the sale of intoxicating, distilled and fermented liquors,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, a bill entitled “An act to amend section 23, title 2 of the amended charter of the city of Brooklyn, passed June 28, 1873,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. McGroarty introduced a bill entitled “An act for the improvement of certain lands for the benefit of the commercial and agricultural interests of the town of New Utrecht, in Kings county,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Also, a bill entitled “An act to lay out and construct a plank-walk on Coney Island beach,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Dillmeier introduced a bill entitled “An act to prevent the making and publication of false and deceptive statements in relation to the business of fire insurance,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Sheldon introduced a bill entitled “An act in relation to the foreclosure of mortgages by advertisement,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. J. S. Graham introduced a bill entitled “An act to prevent the furtive possession and use of slung-shot and other dangerous weapons,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Corbett offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the Senate resolution for printing the annual report of the board of managers of the New York State Lunatic Asylum at Utica, be taken from the table and referred to the committee on public print-

ing; also, the annual report of the managers of the Western House of Refuge.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Alvord introduced a bill entitled "An act to repeal chapter 33 of the Laws of 1870, entitled 'An act to provide for the revision of the statutes of the State of New York and all acts and parts of acts amendatory thereof,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Fish introduced a bill entitled "An act to define the powers of the mayors in certain cities of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to authorize the sale of lands for the non-payment of taxes, and for the collection of unpaid taxes in the several towns of the county of Putnam," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. J. G. Graham introduced a bill entitled "An act to provide for the better protection of policy holders of life insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Brick introduced a bill entitled "An act to create a separate road district in the town of Southfield, county of Richmond," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Weiant introduced a bill entitled "An act further to amend chapter 692 of the Laws of 1876, entitled 'An act to amend an act fixing the fees of justices of the peace and constables in civil and criminal cases and the fees of jurors and witnesses in justices' courts, and for other purposes,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Sanders introduced a bill entitled "An act authorizing the commissioners of highways of the town of Glenville, Schenectady county, to appropriate a portion of the moneys received for commutation of highway labor to the payment of interest of indebtedness of said town, incurred in the purchase, rebuilding of the Mohawk and Schenectady Bridge Company's bridges, and for repairs of said bridges," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Purdy introduced a bill entitled "An act to amend chapter 36 of the Laws of 1873, entitled 'An act to provide for a supply of water in the city of Yonkers,' passed February 28, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to amend an act entitled 'An act to amend an act entitled An act to reorganize the local government of the city of New York,' passed May 21, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Husted, from the committee on ways and means, to which was recommitted the bill introduced by Mr. Piper, Int. No. 231, entitled



"An act to amend chapter 767 of the Laws of 1872, entitled 'An act to establish the compensation of county judges and surrogates, pursuant to fifteenth section of the amended sixth article of the Constitution,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill entitled "An act relating to the commissioners of jurors in the city of New York," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Alvord, Int. No. 626, entitled "An act to amend the charter of the city of Syracuse, so far as concerns the reorganization of the fire department of said city," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Strahan, Int. No. 119, entitled "An act to make further provision for the police department and the police force of the city of New York, and of certain members and officers thereof," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

(Messrs. Corsa, Mitchell, McGroarty and Tabor dissented).

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Hayes, Int. No. 78, entitled "An act to provide public lodging houses in the city of New York," reported adversely thereto.

On motion of Mr. Fish, said report was laid on the table.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Langbein, Int. No. 569, entitled "An act in relation to countersigning warrants for payment from the treasury of the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Marvin, Int. No. 227, entitled "An act to regulate and define the duties of pawnbrokers," reported the same for the consideration of the House.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Purdy, Int. No. 363, entitled "An act to amend an act entitled 'An act to re-enact and amend an act entitled An act to provide for the annexation of the towns of Morrisania, West Farms and Kingsbridge, in the county of Westchester, to the city and county of New York,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Mitchell, Int. No. 396, entitled "An act to provide for payment for the use and occupation of the room occupied by the several courts provided for by chapter 329 of the Laws of 1874, entitled 'An act to re-enact and amend an act entitled An act to provide for the annexation of the towns of Morrisania, West Farms and Kingsbridge,

in the county of Westchester, to the city and county of New York,' passed May 23, 1873," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on railroads, to which was referred the bill introduced by Mr. Ecclesine, Int. No. 155, entitled "An act to facilitate travel over railroads in cities and to provide for the removal of impediments and obstructions thereto," reported adversely thereto, which report was agreed to.

Mr. Weiant, from the committee on insurance, to which was referred the bill introduced by Mr. Cowdin, Int. No. 490, entitled "An act to prevent the making and publication of false or deceptive statements in relation to the business of fire insurance companies," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. J. G. Graham, from the committee on insurance, to which was recommitted the bill introduced by Mr. Marvin, Int. No. 127, entitled "An act to amend the charter of the Arotic Fire Insurance Company of New York," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Corbett, from the committee on trade and manufactures, to which was referred the bill introduced by Mr. Marvin, Int. No. 100, entitled "An act to regulate the sale of goods at public auction in the several cities of this State," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Corbett, from the committee on trade and manufactures, to which was referred the bill introduced by Mr. Herrick, Int. No. 253, entitled "An act in relation to the use of coal in manufacturing," reported adversely thereto, which report was agreed to.

Mr. Corbett, from the committee on trade and manufactures, to which was referred the bill introduced by Mr. Mitchell, Int. No. 87, entitled "An act to compel the gas companies within the State of New York to report annually to the Comptroller of said State," reported adversely thereto.

On motion of Mr. Mitchell, said report was laid on the table.

Mr. Corbett, from the committee on trade and manufactures, to which was referred the Senate bill entitled "An act to amend chapter 641 of the Laws of 1867, entitled 'An act for the relief of the Co-operative Iron Founders' Association of Troy,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Corbett, from the committee on trade and manufactures, to which was referred the Senate bill entitled "An act to amend chapter 361 of the Laws of 1852, entitled 'An act to facilitate the dissolution of manufacturing corporations in the county of Herkimer, and to secure the payment of their debts without preference,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. T. A. Case, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Skillman, Int. No. 528, entitled "An act to amend chapter 71 of the Laws of 1844, entitled 'An act to amend an act for the incorporation of the village of Oxford, and for other pur-

poses,'” reported in favor of the passage of the same, with amendments, which report was agreed to; and said bill committed to the committee of the whole.

Mr. T. A. Case, from the committee on affairs of villages, to which was referred the bill entitled “An act to amend chapter 559 of the Laws of 1864, entitled ‘An act to amend the act entitled An act to provide for the incorporation of villages,’ passed December 7, 1847, so far as relates to the village of Corning, in the county of Steuben,” reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Speaker presented a communication from the Secretary of State, in compliance with a resolution of the Assembly, relative to the State Board of Audit; which was laid on the table and ordered printed.

(See Doc. No. .)

By unanimous consent,

Mr. Speaker presented a petition of the Prison Association of New York, favoring the passage of Senate bill, No. 55; which was read and referred to the committee on State prisons.

Also, by unanimous consent, a petition of the New York Bar Association, in relation to the Code of Remedial Justice; which was read and referred to the committee on the judiciary.

Also, by unanimous consent, a petition of the New York Catholic Protectory, for an appropriation of \$50,000, to aid in its support; which was read and referred to the committee on ways and means.

By unanimous consent,

Mr. Webb presented a petition of citizens of Red Hook, Dutchess county, in favor of a bill authorizing town insurance companies; which was read and referred to the committee on insurance.

Mr. Ruggles presented a petition of citizens and tax-payers of Steuben county for a reduction of salary of county judge of said county; which was read and referred to the committee on the judiciary.

Mr. Backenstose presented a petition of lawyers of Ontario county for repeal of Code of Remedial Justice; which was read and referred to the committee on the judiciary.

A message from the Senate was received and read, informing of concurrence in the passage of the resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to his excellency the Governor asking for the return of Assembly bill Int. No. 523, entitled “An act to amend an act entitled ‘An act to revise and consolidate the several acts relating to the city of Elmira,’ for amendment.

*Ordered*, That the Clerk deliver said resolution to the Governor.

Whereupon, at 2 o'clock and 25 minutes, the House adjourned.

## THURSDAY, MARCH 8, 1877.

The House met pursuant to adjournment.

No clergyman present.

The journal of yesterday was read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to resolutions in the words following:

*Resolved* (if the Assembly concur), That 1,500 copies of the annual report of the Treasurer of the State of New York be printed, 500 copies for the use of the Treasurer's office and 1,000 copies for the Legislature, provided that the cost shall not exceed ten cents per page per one hundred copies.

*Resolved* (if the Assembly concur), That 1,000 copies of the annual report of the Commissioners of Fisheries of the State of New York be printed for the use of said commissioners, provided that the cost shall not exceed ten cents per page per one hundred copies.

Said resolutions being concurrent,

*Ordered*, That the same be laid on the table.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act to provide for the payment of bonds issued by municipal corporations under the provisions of chapter 907, Laws of 1869, entitled 'An act to amend an act entitled An act to authorize the formation of railroad corporations and to regulate the same,' passed April 2, 1850, so as to permit municipal corporations to aid in the construction of railroads, and the acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Pursuant to 9th joint rule, Mr. Speaker announced the order of business, "third reading of bills."

The Senate bill entitled "An act to release to certain charitable institutions the interest of the people of the State of New York in certain personal property formerly of James Kelly of the city of New York, deceased," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 94 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Coulter	Humphrey	H. H. Rockwell
Backenstose	Cowdin	Keator	W. L. Rockwell
Baker	Cozans	Langbein	Ruggles
S. Baldwin	Crowley	Langner	Sager
M. L. Baldwin	Davenport	Longyear	Santee
Barnes	Dillmeier	Lyon	Shanley
Benedict	Dimond	Maher	Shannon

Berrigan	Ecclesine	Marvin	Skinner
Billings	Fay	Maynard	Speaker
Bissell	Fish	McFalls	Spicer
Bradley	Floyd-Jones	McGraw	Stephenson
Braman	Gallagher	McKee	Stone
Brick	Galvin	Moller	Suydam
Brill	Grady	Moody	Tabor
J. H. Brown	J. S. Graham	Morey	Taylor
Bulmer	Gulick	Nachtmann	Thistlethwaite
Burns	Hamilton	Neilson	Valentine
E. Case	Hammond	Noyes	Webb
G. M. Case	Hayes	Orr	Welsh
T. A. Case	Healy	Piper	Wemple
Clapp	Hepburn	Post	Wickes
Clark	Herbst	Potter	Williams
Corbett	Hodges	Purdy	Winch
Corsa	Hogeboom		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The bill entitled "An act to release the interest of the people of the State of New York in certain real estate in the city of New York to Letitia Hanson," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 102 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Clapp	Hodges	Peck
Backenstose	Coulter	Keator	Potter
Baker	Cowdin	King	Purdy
S. Baldwin	Oozans	Langbein	H. H. Rockwell
M. L. Baldwin	Crowley	Langner	W. L. Rockwell
Barnes	Davenport	Longyear	Rooney
Benedict	Dillmeier	Lyon	Ruggles
Berrigan	Dimond	Marvin	Sager
Billings	Ecclesine	Maynard	Sanders
Bissell	Fay	McFalls	Santee
Bowen	Fish	McGraw	Skillman
Bradley	Flecke	McGroarty	Skinner
Braman	Floyd-Jones	McKee	Sliter
Brick	Gallagher	Mitchell	Smith
Brill	Galvin	Moller	Speaker
J. H. Brown	Gere	Moody	Spicer
J. S. Brown	J. S. Graham	Moore	Stein
Bulmer	Hamilton	Morey	Stephenson
Burns	Hammond	Nachtmann	Suydam
E. Case	Hayes	Neilson	Tabor
G. M. Case	Healy	Noyes	Taylor
T. A. Case	Herrick	O'Hare	Thistlethwaite
Childs	Herbst	Orr	Tighe

Clark	Humphrey	Post	Webb
Corbett	Husted	Valentine	Wemple
Corsa	Piper		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to release certain lands which have escheated to the State, to Sarah Henesy, widow of John Fagan, late of Saratoga Springs, New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 96 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cowdin	Langner	Sanders
Backenstose	Cozans	Longyear	Santee
Baker	Davenport	Maher	Shannon
S. Baldwin	Dillmeier	Maynard	Skillman
M. L. Baldwin	Dimond	McFalls	Skinner
Barnes	Ecclesine	McGraw	Sliter
Benedict	Fay	McGroarty	Smith
Berrigan	Floyd-Jones	Moller	Speaker
Billings	Gallagher	Moody	Spicer
Bowen	Gere	Moore	Stein
Bradley	J. S. Graham	Morey	Stephenson
Braman	Hamilton	Nachtmann	Strahan
Brick	Hammond	Noyes	Suydam
Brill	Hayes	O'Hare	Tabor
J. H. Brown	Healy	Orr	Taylor
Bulmer	Hepburn	Peck	Thistlethwaite
E. Case	Herrick	Piper	Tighe
G. M. Case	Herbst	Post	Valentine
T. A. Case	Hodges	Potter	Webb
Clapp	Humphrey	Proper	Weiant
Clark	Keator	H. H. Rockwell	Welsh
Corbett	King	W. L. Rockwell	Wemple
Corsa	Lang	Ruggles	Wickes
Coulter	Langbein	Sager	Winch

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the relief of John Black, an alien," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 91 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crowley	Lyon	Sanders
Backenstose	Davenport	Maher	Santee

Baker	Dillmeier	Maynard	Shanley
S. Baldwin	Dimond	McFalls	Shannon
M. L. Baldwin	Ecclesine	McGraw	Skillman
Barnes	Fay	McGroarty	Skinner
Benedict	Fish	McKee	Sliter
Berrigan	Gallagher	Moller	Smith
Billings	Galvin	Morey	Speaker
Bissell	Gere	Nachtmann	Spicer
Bradley	J. G. Graham	Neilson	Stein
Braman	J. S. Graham	Noyes	Stephenson
Brick	Gulick	Orr	Stone
Brill	Hamilton	Piper	Strahan
J. H. Brown	Herrick	Post	Suydam
Burns	Herbst	Potter	Taylor
E. Case	Hodges	Proper	Thistlethwaite
G. M. Case	Humphrey	Purdy	Valentine
T. A. Case	Keator	Rice	Webb
Clapp	Lang	H. H. Rockwell	Welsh
Clark	Langbein	W. L. Rockwell	Wemple
Corbett	Langner	Ruggles	Winch
Cowdin	Longyear	Sager	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Alvord, the privileges of the floor were granted to the Hon. Mr. Smily, formerly a member of the Legislature.

The bill entitled "An act in relation to the bonded indebtedness of villages, cities, towns and counties," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Cozens	Husted	Ruggles
Backenstose	Crowley	Keator	Sager
Baker	Davenport	King	Sanders
S. Baldwin	Dillmeier	Lang	Santee
M. L. Baldwin	Dimond	Langbein	Shanley
Barnes	Ecclesine	Langner	Skinner
Benedict	Fay	Maher	Sliter
Berrigan	Fish	McFalls	Smith
Billings	Floyd-Jones	McGraw	Speaker
Bowen	Galvin	McGroarty	Spicer
Bradley	Gere	Moller	Stein
Braman	J. S. Graham	Moore	Stephenson
J. H. Brown	Gulick	Morey	Stone
J. S. Brown	Hamilton	Nachtmann	Strahan
Bulmer	Hammond	Neilson	Suydam
Burns	Hayes	Niven	Taylor
E. Case	Healy	Noyes	Thistlethwaite
G. M. Case	Herrick	O'Hare	Tighe
T. A. Case	Herbst	Orr	Webb

Clapp	Hodges	Peck	Wemple
Corbett	Hogeboom	Rice	Williams
Corsa	Holahan	H. H. Rockwell	Winch
Coulter	Humphrey	W. L. Rockwell	

For the negative,

Sheldon

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the completion of the census or enumeration of the inhabitants of this State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 22 }

Those who voted in the affirmative, were

Backenstose	Dimond	Longyear	Shanley
S. Baldwin	Ecclesine	Maher	Shannon
Barnes	Fay	Marvin	Skillman
Berrigan	Flecke	Maynard	Skinner
Billings	Floyd-Jones	McGroarty	Sliter
Bowen	Galvin	McKee	Speaker
Bradley	Gere	Moller	Spicer
Brick	Grady	Moore	Spinola
Bulmer	Hamilton	Nachtmann	Stein
G. M. Case	Hayes	Neilson	Stone
T. A. Case	Hepburn	O'Hare	Strahan
Childs	Herrick	Orr	Suydam
Clapp	Herbst	Piper	Taylor
Clark	Hodges	Post	Thistlethwaite
Coulter	Hogeboom	Rice	Tighe
Cowdin	Husted	H. H. Rockwell	Valentine
Cozans	King	W. L. Rockwell	Weiant
Crowley	Lang	Ruggles	Wemple
Davenport	Langbein	Sager	Wickes
Dillmeier	Langner	Sanders	

Those who voted in the negative, were

Alvord	Corsa	Morey	Smith
M. L. Baldwin	Fish	Peck	Stephenson
J. H. Brown	J. S. Graham	Potter	Welsh
J. S. Brown	Humphrey	Proper	Williams
E. Case	Keator	Santee	Winch
Corbett	McFalls		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act directing the Brooklyn Trust Company to pay over to the supervisor of the town of New Lots, certain moneys deposited with them by the commissioners for the laying out, grading and improving Atlantic avenue in the town of New Lots, in the county of Kings," being announced for a third reading,



On motion of Mr. McGroarty, and by unanimous consent, said bill was amended as follows: Line 4, printed bill, after the word "thereon," insert the word "shall." Line 6, strike out the word "that" before the word "said;" same line, after the word "successor," insert the word "shall." Line 8, strike out the word "that," last word in line. Line 9, after the word "them" insert the word "shall."

Said bill, as amended, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Corsa	Langner	Sanders
Backenstose	Crowley	Longyear	Santee
S. Baldwin	Davenport	Maher	Sheldon
M. L. Baldwin	Dillmeier	Marvin	Skillman
Barnes	Dimond	Maynard	Skinner
Berrigan	Ecclesine	McGroarty	Smith
Billings	Fay	Moller	Speaker
Bissell	Flecke	Moore	Spicer
Bowen	Floyd-Jones	Morey	Stein
Bradley	Galvin	Nachtmann	Stone
Braman	Gere	Noyes	Snydam
Brick	J. S. Graham	O'Hare	Taylor
J. H. Brown	Hepburn	Orr	Thistlethwaite
J. S. Brown	Hodges	Peck	Tighe
Bulmer	Hogeboom	Potter	Valentine
Burns	Humphrey	Proper	Webb
E. Case	Husted	Rice	Weiant
T. A. Case	Keator	H. H. Rockwell	Welsh
Childs	King	W. L. Rockwell	Wickes
Clapp	Lang	Ruggles	Williams
Clark	Langbein	Sager	Winch

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the Inebriates' Home for Kings county, and to amend chapter 514 of the Laws of 1871, entitled 'An act to amend an act entitled An act to incorporate the Inebriates' Home for Kings county,' passed May 9, 1867, and the act amendatory thereof, passed April 30, 1868," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Dillmeier	Maher	Skillman
Backenstose	Dimond	Marvin	Skinner

M. L. Baldwin	Fay	Maynard	Sliter
Barnes	Flecke	McGraw	Speaker
Benedict	Floyd-Jones	McGroarty	Spicer
Berrigan	Galvin	McKee	Stephenson
Bowen	Grady	Moller	Stone
Brick	J. S. Graham	Morey	Strahan
J. H. Brown	Gulick	Noyes	Suydam
J. S. Brown	Hamilton	Orr	Tabor
Bulmer	Hammond	Peck	Taylor
E. Case	Herrick	Potter	Thistlethwaite
G. M. Case	Hodges	Rice	Tighe
T. A. Case	Holahan	W. L. Rockwell	Valentine
Clapp	Humphrey	Ruggles	Webb
Corbett	Keator	Sager	Weiant
Coulter	King	Sanders	Welsh
Cowdin	Lang	Santee	Wickes
Cozans	Langner	Shanley	Williams
Crowley	Longyear	Shannon	Winch

Those who voted in the negative, were

Bradley            O'Hare

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Strahan moved to take from the table the message of the Senate, in words following:

The Senate returned the bill entitled "An act for the relief of James R. Davies, William P. Mitchell, Michael Cregan, Henry G. Leask, Terrence Duffy, John E. McGowan, Robert G. McCord, Francis Mangin, Whitfield Van Cott and Bernard C. Ryan, as clerks and assistant clerks of the district courts in the city of New York," with a message informing that they had passed the same, with the following amendments:

Strike out all of section 1 down to and including the word "claims," in line 50 of engrossed bill, and insert in lieu thereof the following:

SECTION 1. The comptroller of the city of New York is hereby authorized to examine the claim of any and every person claiming to have acted as the clerk or the assistant clerk of any district court, in the city of New York, during any portion of the year one thousand eight hundred and seventy-six, for services rendered by him as such clerk or assistant clerk, and upon the production to said comptroller of a certificate of appointment of such person as such clerk or assistant clerk by the justice holding the district court in which such services were rendered, a duly certified copy of the official bond of such person as such clerk or assistant clerk, and the certificate of the clerk of the city and county of New York, of the filing thereof in his office, and the certificate of the said justice of the performance of said services by said person as clerk or assistant clerk, showing that said services were performed in the court held by said justice, and when and for how long said services were performed, accompanied by the affidavit of such person verifying the truth of the facts stated in said last mentioned certificate, the said comptroller shall audit and certify the amount of such claim for services rendered as aforesaid during any part of the year eighteen hundred and seventy-six, at the rate established by law as the compensation for the services of the clerks and assistant clerks in the district courts in the city of New York at the time of the rendition

of such services, and report the same to the board of estimate and apportionment of said city, who shall thereupon make an appropriation for the payment of the amount thereof, for which amount the said comptroller shall thereupon draw his warrant upon the chamberlain of the city of New York, and deliver the same to the person acting as such clerk or assistant clerk as aforesaid in satisfaction of his said claim.

Line 54, after the word "affirmation," insert "by each claimant."

Line 55, strike out "said," and insert "him as such." Strike out "s" from "clerks." Strike out "and," last occurring, and insert "or."

Line 56, strike out the words "in their official capacity."

Line 57, strike out "thereof," and insert in lieu thereof "so retained."

Amend title so as to read, "An act for the relief of certain persons claiming to have acted as clerks and assistant clerks of the district courts in the city of New York."

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

The question being on concurring in said amendments,

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }  
{ NOES 10 }

Those who voted in the affirmative, were

Alvord	Fay	Lang	Proper
Backenstose	Fish	Langbein	H. H. Rockwell
S. Baldwin	Flecke	Langner	W. L. Rockwell
Barnes	Floyd-Jones	Longyear	Ruggles
Benedict	Gallagher	Lyon	Sager
Berrigan	Galvin	Marvin	Sanders
Billings	Gere	Maynard	Santee
Bowen	Grady	McFalls	Shanley
Bradley	J. S. Graham	McGraw	Skillman
Bulmer	Gulick	McGroarty	Speaker
Burns	Hamilton	McKee	Spicer
E. Case	Hammond	Mitchell	Stein
G. M. Case	Hayes	Moller	Stephenson
T. A. Case	Healy	Moody	Stone
Clapp	Hepburn	Morey	Strahan
Corbett	Herrick	Nachtmann	Suydam
Corsa	Hodges	Neilson	Taylor
Coulter	Hogebom	Noyes	Thistlethwaite
Cowdin	Humphrey	Orr	Valentine
Cozans	Husted	Peck	Weiant
Davenport	Keator	Piper	Wemple
Dimond	King	Potter	Williams
Ecclesine			

Those who voted in the negative, were

J. S. Brown	Post	Spinola	Welsh
Childs	Purdy	Tabor	Wickes
O'Hare	Rice		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate bill entitled "An act to release the right, title and interest of the people of the State of New York in and to certain real estate, of which Thomas Dalton died seized, to William E. Duncan," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 87 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Coulter	King	Potter
S. Baldwin	Cowdin	Lang	H. H. Rockwell
M. L. Baldwin	Cozans	Langbein	W. L. Rockwell
Barnes	Crowley	Langner	Sager
Benedict	Davenport	Longyear	Sanders
Berrigan	Dimond	Lyon	Santee
Billings	Ecclesine	Marvin	Shanley
Bissell	Fay	Maynard	Sheldon
Bowen	Flecke	McFalls	Skillman
Bradley	Gallagher	McGraw	Skinner
Braman	Galvin	McGroarty	Spicer
Brick	J. S. Graham	McKee	Stone
J. H. Brown	Gulick	Moller	Suydam
J. S. Brown	Hamilton	Moody	Taylor
Bulmer	Hayes	Moore	Thistlethwaite
Burns	Healy	Morey	Tighe
E. Case	Hepburn	Nachtmann	Valentine
G. M. Case	Hodges	Neilson	Webb
T. A. Case	Hogeboom	Noyes	Wemple
Clapp	Humphrey	Orr	Williams
Clark	Husted	Peck	Winch
Corbett	Keator	Piper	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

Mr. Husted made the following privileged report:

Mr. Husted, from the committee on ways and means, introduced a bill entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Husted moved that said bill be made a special order for Thursday morning next, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Speaker announced the special order of the day, being the bill entitled "An act to secure better public administration within the city and county of New York."

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to secure better public administration within the city and county of New York."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Lang, from said committee, reported progress on said bill, and asked leave to sit again.

Mr. Husted moved that said bill be made a special order for this evening, at 7½ o'clock.

Mr. Post moved to amend by striking out the words "this evening," and inserting in lieu thereof the words "Monday evening next."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Post, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Husted, and it was determined in the affirmative.

The Senate returned the bills entitled as follows:

"An act for the relief of certain persons claiming to have acted as clerks and assistant clerks of the district courts in the city of New York."

"An act to authorize the board of supervisors of the county of Columbia to provide for the payment of the principal of a portion of the bounty debt of said county, by issuing new bonds."

*Ordered*, That the Clerk deliver said bills to the Governor.

Mr. Strahan moved that the House do now adjourn.

Whereupon, at 1 o'clock and 55 minutes, the House took a recess until 7½ o'clock.

### HALF-PAST SEVEN O'CLOCK.

The House again met.

A message from the Senate was received and read, requesting the concurrence of the Assembly to a resolution in the words following:

*Resolved* (if the Assembly concur), That a respectful message be sent to his excellency the Governor requesting the return to the Senate of Senate bill No. 35, entitled "An act to amend chapter 125 of the Laws of 1874, entitled 'An act to provide for the establishment of a system of graded schools in the village of Ithaca,'" for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker presented a message from his excellency the Governor in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }  
ALBANY, March 7, 1877. }

*To the Assembly:*

In accordance with a joint resolution of the Senate and Assembly I return herewith, for amendment, Assembly bill No. 523, entitled "An act to amend an act entitled 'An act to revise and consolidate the several acts relating to the city of Elmira.'"

L. ROBINSON.

On motion of Mr. Alvord, and by unanimous consent, said bill with message was laid on the table.

Mr. Speaker announced the special order of the day, being the bill entitled "An act to secure better public administration within the city and county of New York."

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act to secure better public administration within the city and county of New York."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Lang, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Fish moved that said bill be made a special order for to-morrow morning, after the reception of reports of committees, and that the session commence at 10 o'clock.

Mr. Post moved to amend by striking out the words "to-morrow morning," and inserting in lieu thereof the words "Tuesday morning."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Post, and it was determined in the negative.

Mr. Spinola moved to amend by striking out "10," and inserting "11."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Spinola, and it was determined in the negative.

Mr. O'Hare moved to amend by inserting after the word "committee," the words "and resolutions."

Mr. Speaker put the question whether the House would agree to said motion of Mr. O'Hare, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Fish, and it was determined in the affirmative.

On motion of Mr. Alvord, at 9 o'clock and 5 minutes, the House adjourned.

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## FRIDAY, MARCH 9, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Day.

The journal of yesterday was read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act to authorize the appointment of a librarian to take charge of the law library in the fifth judicial district located at Utica," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. O'Hare stated that he voted under a misapprehension in the negative, yesterday, on the bill entitled "An act for the relief of James R. Davies, William P. Mitchell, Michael Cregan, Henry G. Leask, Terrence Duffy, John E. McGowan, Robert G. McCord, Francis Mangin, Whitfield Van Cott and Bernard C. Ryan, as clerks and assistant clerks of the district courts of the city of New York," he having intended to vote in the affirmative.

Mr. Alvord moved that the partition between the cloak room and the chamber be removed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Indefinite leave of absence was granted to Messrs. Lyons, Wieant and Keator.

Leave of absence was granted to Mr. Brill until Wednesday evening.

Mr. S. Baldwin introduced a bill entitled "An act to extend the time for the collection of taxes in the town of Wellsville, in the county of Allegany," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. S. Baldwin, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES }

Those who voted in the affirmative, were

Alvord	Cozans	Maher	Rooney
Backenstose	Crowley	McFalls	Ruggles
S. Baldwin	Dillmeier	McGraw	Santee
M. L. Baldwin	Dimond	McGroarty	Shannon
Berrigan	Fay	McKee	Sheldon
Bissell	Fish	Moody	Skillman
Bowen	Floyd-Jones	Moore	Skinner
Brick	Grady	Morey	Sliter
J. S. Brown	J. G. Graham	Nachtmann	Speaker
Bulmer	Gulick	Neilson	Spicer
E. Case	Hamilton	Noyes	Stein
G. M. Case	Hammond	O'Hare	Stephenson
T. A. Case	Healy	Orr	Suydam
Childs	Herbst	Peck	Tighe
Clapp	Hodges	Piper	Valentine
Clark	Humphrey	Potter	Webb
Corbett	Lang	Proper	Wemple
Corsa	Langbein	Rice	Williams
Coulter	Langner	W. L. Rockwell	Winch
Cowdin	Longyear		

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Bowen introduced a bill entitled "An act in relation to the maintenance of the chronic insane poor of the county of Clinton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Orr introduced a bill entitled "An act to extend the time for the collection of taxes in the counties of Erie and Fulton," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Orr, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the

final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES        }

Those who voted in the affirmative, were

Alvord	Crowley	Langbein	Sanders
Backenstose	Dillmeier	Langner	Santee
S. Baldwin	Fay	Longyear	Shannon
M. L. Baldwin	Filkin	Maher	Sheldon
Berrigan	Fish	Maynard	Skillman
Bissell	Flecke	McFalls	Skinner
Bowen	Floyd-Jones	McGroarty	Sliter
Bradley	Gallagher	McKee	Speaker
J. H. Brown	Gere	Moody	Spicer
J. S. Brown	Grady	Moore	Stone
Bulmer	J. S. Graham	Morey	Strahan
Burns	Gulick	Neilson	Suydam
E. Case	Hammond	Niven	Tabor
G. M. Case	Healy	Noyes	Taylor
T. A. Case	Hepburn	O'Hare	Thistlethwaite
Clapp	Herbst	Orr	Tighe
Clark	Hodges	Post	Valentine
Corbett	Holahan	Potter	Webb
Corsa	Humphrey	W. L. Rockwell	Wemple
Coulter	Husted	Rooney	Williams
Cowdin	King	Ruggles	Winch
Cozans	Lang		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Orr, on behalf of Mr. Gallagher, introduced a bill entitled "An act in relation to sleeping, drawing-room or palace cars on railroads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. McKee introduced a bill entitled "An act to amend chapter 330 of the Laws of 1850, entitled 'An act reincorporating the village of Little Falls by the name of Rockton, and the laws amendatory thereof,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, a petition on the same subject, which was read and referred to the same committee.

Also, a bill entitled "An act to provide for the appointment of one or more special game constables for the forest portions of certain counties in the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Also, a petition on the same subject, which was read and referred to the same committee.

Mr. Skinner introduced a bill entitled "An act to amend section 27, article 1, title 10, chapter 18, part 1 of the Revised Statutes in reference to rural cemetery associations," which was read the first time, and by



unanimous consent was also read the second time, and referred to the committee on general laws.

Also, a bill entitled "An act to provide for the publication of proceedings of common councils and boards of trustees in cities and incorporated-villages," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. McGroarty introduced a bill entitled "An act to enable the city of Brooklyn to acquire certain lands lying in Atlantic avenue, decided to be the property of the heirs of John Cowenhoven," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Hodges introduced a bill entitled "An act to authorize the Canal Commissioners to construct a bridge over the Erie canal in the town of Brighton, in the county of Monroe," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

In connection with the pending order of business, Mr. Hodges offered for the consideration of the House a resolution, in the words following :

*Resolved*, That the petition on file in the Clerk's office, relative to the building of a bridge over the Erie canal in the town of Brighton, in the county of Monroe, be taken from the files of the Clerk and referred to the committee on canals.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. J. S. Graham introduced a bill entitled "An act in relation to gambling in stocks and bonds and gold," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Galvin introduced a bill entitled "An act for the better preservation of life and health in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Mr. Wemple introduced a bill entitled "An act to incorporate the Young Men's Lyceum of the village of Amsterdam," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. G. M. Case introduced a bill entitled "An act to amend chapter 149 of the Laws of 1874, entitled 'An act to amend the act passed April 27, 1872, entitled An act to amend chapter 657 of the Laws of 1871, entitled An act to amend the act passed February 17, 1848, entitled An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed April 20, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Mr. Hepburn introduced a bill entitled "An act in relation to licenses for the sale of intoxicating liquors, wine, ale or beer," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Sanders introduced a bill entitled "An act to establish a fire department in the second school district of the town of Glenville, in the county of Schenectady, and for the government and maintenance of the same," which was read the first time, and by unanimous consent was

also read the second time, and referred to the committee on internal affairs.

Mr. Clark introduced a bill entitled "An act to provide for lighting the streets in the village of Perry, in the county of Wyoming, State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Tabor introduced a bill entitled "An act to amend chapter 75 of the Laws of 1876, entitled 'An act to amend chapter 94 of the Laws of 1875, entitled An act to further amend chapter 680 of the Laws of 1871, entitled An act in relation to the location and erection of public buildings for the use of Erie county and the city of Buffalo; also, to amend chapter 680 of the Laws of 1871, entitled An act in relation to the location and erection of public buildings for the use of Erie county and the city of Buffalo,'" which was read the first time, and by unanimous consent, was also read the second time, and referred to the committee on affairs of cities.

Mr. Purdy introduced a bill entitled "An act to amend an act entitled 'An act to provide for a further supply of pure and wholesome water for the Twenty-third and Twenty-fourth wards of the city of New York,' passed May 26, 1876," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Stone introduced a bill entitled "An act to provide for the incorporation of St. Joseph's Church in the city of Rome," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Purdy introduced a bill entitled "An act to amend chapter 35 of the Laws of 1873, entitled 'An act to re-enact and amend an act entitled An act to incorporate the city of Yonkers,' passed June 1, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to amend an act entitled 'An act in relation to the city court of Yonkers,' passed March 8, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Burns introduced a bill entitled "An act to amend an act entitled 'An act in relation to the Troy water-works,' passed March 9, 1855," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Weiant, Int. No. 667, entitled "An act to further amend chapter 692 of the Laws of 1866, entitled 'An act to amend an act fixing the fees of justices of the peace and constables in civil and criminal cases, and the fees of jurors and witnesses in justices' courts and for other purposes,'" reported adversely thereto.

On motion of Mr. Strahan, said report was laid on the table.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Alvord, Int. No. 425, entitled "An act in relation to bets, wagers and pools," reported adversely thereto, which report was agreed to.

Mr. Strahan, from the committee on the judiciary, to which was recommitted the bill introduced by Mr. Marvin, Int. No. 226, entitled "An act to provide for the filing of security for the payment of damages

and costs by the plaintiff in actions or proceedings against physicians, surgeons and dentists for damages or punishment for malpractice," re-reported adversely thereto.

On motion of Mr. Strahan, said bill was laid on the table.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Backenstose, Int. No. 521, entitled "An act in relation to proceedings in surrogates' courts," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Ruggles, Int. No. 392, entitled "An act to repeal chapter 332 of the Laws of 1871, entitled 'An act for the relief of the Bath Library Association,' passed April 6, 1871," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Purdy, Int. No. 365, entitled "An act to legalize and confirm a patent issued to the late village of Yonkers for lands below high-water mark, in Main street, in the city of Yonkers," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Davenport, Int. No. 601, entitled "An act further to amend chapter 450 of the Laws of 1847, entitled 'An act requiring compensation for causing death by wrongful act, neglect or default, as amended by chapter 78 of the Laws of 1870,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Hammond, Int. No. 260, entitled "An act to amend an act entitled 'An act to incorporate the Union Stock Company,' passed May 7, 1872," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Cowdin, Int. No. 372, entitled "An act to validate and confirm title to certain real estate in the city of New York," reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the Senate bill entitled "An act further to amend chapter 167 of the Laws of 1860, entitled 'An act in relation to preferred causes in the Supreme Court and Court of Appeals,'" reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to provide for the better administration of justice in the town of Watervliet, in the county of Albany," reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Mitchell, Int. No. 24, entitled "An act to regulate the course of proceedings at the trial on a charge of felony,

after a previous conviction for felony or petit larceny," reported the same for the consideration of the House, with amendments.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Curran, Int. No. 555, entitled "An act to amend chapter 912 of the Laws of 1869, entitled 'An act to incorporate the city of Cohoes,' passed May 19, 1869," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill entitled "An act to amend chapter 12 of the Laws of 1848, entitled 'An act in relation to the city of Troy, as amended by chapter 210 of the Laws of 1849, entitled An act to amend an act entitled An act in relation to the city of Troy,' passed January 28, 1848," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill entitled "An act to amend chapter 129 of the Laws of 1872, entitled 'An act to amend an act passed May 3, 1870, entitled An act to amend an act to incorporate the city of Troy,' passed April 12, 1816, and the several acts amendatory thereof, and also to amend other acts relating to the city of Troy," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill entitled "An act to enable the commissioners of the almshouse of the city of Kingston to borrow a sum not exceeding \$10,000 and to provide for the payment thereof," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Hamilton, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cozans	Marvin	W. L. Rockwell
Backenstose	Crowley	Maynard	Sanders
S. Baldwin	Davenport	McFalls	Santee
M. L. Baldwin	Dillmeier	McGraw	Shannon
Barnes	Dimond	McGroarty	Skinner
Berrigan	Fay	McKee	Sliter
Billings	Filkin	Moody	Speaker
Bissell	Floyd-Jones	Moore	Spicer
Bowen	Gallagher	Morey	Stephenson
Bradley	Galvin	Nachtmann	Stone
Brick	Grady	Niven	Suydam
J. H. Brown	Gulick	Noyes	Taylor
J. S. Brown	Hamilton	O'Hare	Tighe
Burns	Hammond	Orr	Valentine
E. Case	Herbst	Piper	Webb
G. M. Case	Hodges	Potter	Weiant

T. A. Case	Holahan	Proper	Wemple
Clapp	Langbein	Rice	Williams
Clark	Langner	H. H. Rockwell	Winch
Coulter	Maher		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

Mr. Webb, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Bulmer, Int. No. 32, entitled "An act to regulate the rate of foot passenger ferriage on the boats of the East River Ferry Company, plying between East Thirty-fourth street, city of New York, and Hunter's Point, Long Island City," reported adversely thereto.

(Messrs. Webb and Stein dissented from said report).

Mr. Tighe moved to disagree with the report of the committee, and that said bill be committed to the committee of the whole.

Mr. Webb moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Tighe, and it was determined in the affirmative.

{ AYES 70 }  
{ NOES 39 }

Those who voted in the affirmative, were

Backenstose	Ecclesine	Maynard	Ruggles
Berrigan	Flecke	McGroarty	Sager
Bissell	Gallagher	Mitchell	Shannon
Bowen	Galvin	Moody	Sheldon
Bradley	Gilbert	Moore	Sliter
Brick	Grady	Morey	Spicer
J. H. Brown	J. S. Graham	Nachtmann	Spinola
Bulmer	Hamilton	Neilson	Stein
Childs	Healy	Niven	Stephenson
Clapp	Hepburn	Orr	Tabor
Clark	Holahan	Peck	Taylor
Corsa	Humphrey	Piper	Tighe
Coulter	King	Post	Welsh
Cowdin	Lang	Proper	Wemple
Cozans	Langbein	Rice	Wickes
Crowley	Langner	H. H. Rockwell	Williams
Davenport	Longyear	Rooney	Winch
Dimond	Maher		

Those who voted in the negative, were

Alvord	T. A. Case	Herrick	Santee
Baker	Corbett	Hodges	Shanley
S. Baldwin	Fay	Hogeboom	Skillman
M. L. Baldwin	Filkin	Husted	Skinner
Barnes	Fish	McFalls	Smith
Billings	Floyd-Jones	McGraw	Strahan
Braman	Gere	McKee	Suydam
J. S. Brown	J. G. Graham	O'Hare	Thistlethwaite
E. Case	Hammond	Potter	Valentine
G. M. Case	Hayes	W. L. Rockwell	

Mr. Webb, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Suydam, Int. No. 477, entitled "An act to amend an act entitled 'An act concerning pilots of the channel of the East river, commonly called Hell Gate,' passed April 15, 1847, and various acts amendatory thereof, passed March 12, 1860, March 14, 1865, April 16, 1868, and April 5, 1871, reported adversely thereto, which report was agreed to.

Mr. Webb, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Gallagher, Int. No. 98, entitled "An act to amend chapter 249 of the Laws of 1875, entitled 'An act to regulate the use of slips, wharves and piers in the city of New York,' " reported adversely thereto.

Mr. Gallagher moved to disagree with the report of the committee and that said bill be referred to the committee of the whole.

Mr. J. S. Graham moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Gallagher, and it was determined in the affirmative.

{ AYES 78 }  
{ NOES 23 }

Those who voted in the affirmative, were

M. L. Baldwin	Davenport	King	H. H. Rockwell
Barnes	Dillmeier	Lang	W. L. Rockwell
Berrigan	Dimond	Langbein	Rooney
Billings	Ecclesine	Langner	Ruggles <sup>1</sup>
Bissell	Fay	Longyear	Sager
Bradley	Flecke	Maher	Shannon
Braman	Gallagher	McGroarty	Sheldon
Brick	Galvin	Moore	Skillman
J. H. Brown	Gilbert	Morey	Sliter
Bulmer	Grady	Nachtmann	Smith
Burns	J. G. Graham	Neilson	Spinola
E. Case	J. S. Graham	Niven	Stephenson
G. M. Case	Hamilton	Noyes	Thistlethwaite
Childs	Healy	Orr	Tighe <sup>1</sup>
Clapp	Hepburn	Piper	Valentine
Clark	Herrick	Post	Welsh
Corbett	Herbst	Potter	Wemple
Coulter	Hodges	Proper	Wickes
Cowdin	Holahan	Rice	Winch
Crowley	Humphrey		

Those who voted in the negative, were

Alvord	Corsa	McFalls	Spicer
Backenstose	Filkin	McKee	Stein
Baker	Fish	Moody	Strahan
S. Baldwin	Gere	Santee	Taylor
J. S. Brown	Hogeboom	Shanley	Webb
T. A. Case	Husted	Skinner	

Mr. Webb, from the committee on commerce and navigation, to which

was referred the bill introduced by Mr. Moller, Int. No. 586, entitled "An act to repeal chapter 583 of the Laws of 1869, relative to Mamaroneck harbor and for the promotion of public health, passed May 5, 1869," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Webb, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Suydam, Int. No. 422, entitled "An act to change the bulk-head and pier lines for Newtown creek, in the port of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. McKee, from the committee on banks, introduced a bill entitled "An act to amend chapter 371 of the Laws of 1875, entitled 'An act to conform the charters of all savings banks or institutions for savings, to a uniformity of powers, rights and liabilities, and to provide for their supervision and for the administration of their affairs,'" which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Bowen, from the committee on internal affairs, to which was referred the bill introduced by Mr. Sheldon, Int. No. 525, entitled "An act to amend section 2 of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Bowen, from the committee on internal affairs, to which was referred the bill introduced by Mr. Bowen, Int. No. 455, entitled "An act relating to the collection of taxes in the town of Plattsburgh, in the county of Clinton," reported the same for the consideration of the House.

Mr. Noyes, from the committee on affairs of villages, to which was recommitted the Senate bill entitled "An act authorizing the board of trustees of the village of West Troy to contract for a supply of water for public purposes," re-reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Bissell, Int. No. 498, entitled "An act to confirm the election of trustees, in the village of North Tonawanda, in the county of Niagara, and to provide for their election hereafter," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Baker, Int. No. 368, entitled "An act to amend chapter 76 of the Laws of 1850, entitled 'An act to revise and consolidate the Laws in relation to the village of Whitehall,' passed March 16, 1850, and the other acts amendatory thereof," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr. J. G. Graham, Int. No. 104, entitled "An act to amend chapter 370 of the Laws of 1873, entitled 'An act to revise and amend an act entitled An act to incorporate the village of

Port Jervis,' passed March 30, 1866, and all acts relating thereto," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr. H. H. Rockwell, Int. No. 285, entitled "An act to incorporate the Horseheads Fire Department," reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Gulick, Int. No. 581, entitled "An act to amend chapter 224, Laws of 1872, entitled 'An act to amend an act entitled An act to consolidate and amend the several acts relating to the village of Watkins, and to enlarge the powers of the corporation of said village,' passed April 3, 1861, passed April 12, 1872," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gallagher, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Sanders, Int. No. 668, entitled "An act authorizing the commissioners of highways of the town of Glenville, Schenectady county, to appropriate a portion of the moneys received for commutation of highway labor," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gallagher, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Sager, Int. No. 418, entitled "An act to amend chapter 342 of the Laws of 1850, entitled 'An act to authorize the president, directors and company of the New Baltimore and Rensselaer turnpike road to sell and convey their present turnpike road,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gallagher, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Bowen, Int. No. 596, entitled "An act to repeal chapter 640 of the Laws of 1870, entitled 'An act authorizing the construction of a highway from Chateaugay lake to Saranac and branches,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gallagher, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Sheldon, Int. No. 576, entitled "An act to amend chapter 224 of the Laws of 1874, entitled 'An act to repeal chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plank-roads and turnpikes, so far as the same relates to the counties of Clinton, Chenango, Seneca, Queens, Orange, Essex, Cayuga, Madison and Steuben, so as to exempt the county of Madison from said repealing act,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gallagher, from the committee on roads and bridges, to which was referred the Senate bill entitled "An act to amend chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plank-roads and turnpikes,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.



Mr. J. G. Graham moved to take from the table the motion to reconsider the vote by which the following report was disagreed to :

"Mr. Skinner, from the committee on public printing, to which was referred the resolution to print extra copies of the report of the State Homœopathic Asylum for the Insane at Middletown, reported in favor of the adoption of the following resolution :

"*Resolved* (if the Senate concur), That 1,000 extra copies of the report of the State Homœopathic Asylum for the Insane at Middleton, be printed for the use of the trustees of the Asylum, and 500 for the use of the Legislature, provided that the cost thereof shall not exceed ten cents per page per 100 copies."

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said report was disagreed to, and it was determined in the affirmative.

{ AYES 76 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Davenport	King	Ruggles
Backenstose	Dillmeier	Langbein	Sager
Baker	Fay	Longyear	Santee
S. Baldwin	Fish	Maher	Shanley
M. L. Baldwin	Floyd-Jones	McGraw	Skillman
Barnes	Galvin	McKee	Skinner
Berrigan	Gere	Moody	Smith
Bradley	Gilbert	Moore	Speaker
Braman	Grady	Morey	Spicer
J. S. Brown	J. G. Graham	Neilson	Stephenson
Bulmer	Hamilton	Niven	Suydam
Burns	Hammond	O'Hare	Tabor
G. M. Case	Hayes	Orr	Taylor
T. A. Case	Herbst	Peck	Thistlethwaite
Childs	Hodges	Piper	Tighe
Clapp	Hogeboom	Potter	Valentine
Corbett	Holahan	Proper	Webb
Corsa	Humphrey	W. L. Rockwell	Wickes
Coulter	Husted	Rooney	Winch

For the negative,  
Flecke

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative.

{ AYES 80 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Corsa	Husted	Proper
Backenstose	Coulter	King	H. H. Rockwell
Baker	Cowdin	Lang	W. L. Rockwell
S. Baldwin	Crowley	Langbein	Ruggles
M. L. Baldwin	Davenport	Longyear	Sager

Barnes	Ecclesine	Maher	Santee
Berrigan	Fay	Marvin	Shanley
Billings	Fish	Maynard	Shannon
Billington	Floyd-Jones	McFalls	Skillman
Bowen	Galvin	McGraw	Skinner
Bradley	Gere	McGroarty	Smith
Braman	Gilbert	McKee	Speaker
J. S. Brown	Grady	Moore	Spicer
Bulmer	J. G. Graham	Neilson	Stephenson
Burus	Hammond	Niven	Tabor
E. Case	Herrick	O'Hare	Taylor
G. M. Case	Herbst	Orr	Thistlethwaite
T. A. Case	Hodges	Peck	Valentine
Clapp	Hogeboom	Piper	Webb
Corbett	Holahan	Potter	Winch

Those who voted in the negative, were

Flecke                      Nachtmann

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Hepburn, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Stein, Int. No. 577, entitled "An act to amend chapter 264 of the Laws of 1817, entitled 'An act to incorporate the members of the New York Institution for the Instruction of the Deaf and Dumb,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hepburn, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Taylor, Int. No. 589, entitled "An act to amend chapter 252 of the Laws of 1857, entitled 'An act to incorporate the Genesee Camp Ground Association,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hepburn, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Maynard, Int. No. 693, entitled "An act to authorize the First Presbyterian Church of Kortright, Delaware county, to change its corporate name, and to legalize the acts of the trustees of said church heretofore done under the name of the United Presbyterian Church of Kortright, and to legalize all the proceedings had by said church under the name of said United Presbyterian Church," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hepburn, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Floyd-Jones, Int. No. 468, entitled "An act further to amend chapter 280 of the Laws of 1852, entitled 'An act further to amend the act entitled An act authorizing the incorporation of rural cemetery associations,' passed April 27, 1847," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hepburn, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. J. S. Graham, Int. No. 608, entitled "An act to amend chapter 319 of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and

missionary societies,'” reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hepburn, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Hamilton, Int. No. 489, entitled “An act to amend chapter 766 of the Laws of 1868, entitled ‘An act to empower Ulster Lodge No. 59 of the Independent Order of Odd Fellows, of the State of New York, in the village of Saugerties, and county of Ulster, to hold and convey real and personal estate, and constitute the same a corporation,’” reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Smith, from the committee on public education, to which was referred the bill introduced by Mr. Barnes, Int. No. 292, entitled “An act to amend an act entitled ‘An act relative to the common school fund of Edmeston, in the county of Otsego,’ passed February 26, 1828,” reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Smith, from the committee on public education, to which was referred the bill introduced by Mr. Morey, Int. No. 559, entitled “An act to amend chapter 555 of the Laws of 1864, to revise and consolidate the general acts relating to public instruction,” reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Skillman, from the committee on civil divisions, to which was referred the bill introduced by Mr. Floyd-Jones, Int. No. , entitled “An act to erect a new county from the towns of Oyster Bay, Hempstead and North Hempstead, of Queens county, and the towns of Huntington and Babylon of Suffolk county, to be called and known by the name of Nassau county,” reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

(Mr. Tighe dissented).

Mr. Tighe moved to discharge the committee of the whole from the further consideration of said bill, and that the same be laid on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker presented a communication from the Regents of the University, in relation to the Sprague historical manuscript; which was laid on the table and ordered printed.

(*See Senate Doc. No. 40.*)

Mr. Marvin offered for the consideration of the House a resolution, in the words following:

*Resolved*, That when this House adjourns to-day, it adjourn to meet on Monday evening next, at 8 o'clock.

Mr. T. A. Case moved to amend said resolution by striking out “8,” and inserting “7½.”

Mr. Alvord moved the previous question.

Mr. Speaker put the question “Shall the main question be now put?” and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. T. A. Case, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 66 }  
{ NOES 47 }

Those who voted in the affirmative, were

Backenstose	Dimond	Maynard	Skillman
Berrigan	Floyd-Jones	McGroarty	Sliter
Billings	Galvin	Mitchell	Smith
Billington	Gilbert	Nachtmann	Stein
Bowen	J. G. Graham	Neilson	Stephenson
Bradley	Gulick	Niven	Stone
Braman	Hamilton	O'Hare	Strahan
Brick	Hayes	Orr	Suydam
J. S. Brown	Healy	Post	Taylor
Bulmer	Herrick	Proper	Thistlethwaite
Burns	Herbst	H. H. Rockwell	Tighe
G. M. Case	Hodges	W. L. Rockwell	Valentine
Childs	Husted	Ruggles	Webb
Corsa	Langner	Santee	Wemple
Cowdin	Longyear	Shanley	Wickes
Davenport	Maher	Sheldon	Winch
Dillmeier	Marvin		

Those who voted in the negative, were

Alvord	Cozans	Holahan	Potter
Baker	Crowley	King	Rooney
S. Baldwin	Ecclesine	Langbein	Sager
Barnes	Filkin	McFalls	Shannon
Bissell	Fish	McGraw	Skinner
J. H. Brown	Flecke	McKee	Speaker
E. Case	Gere	Moody	Spicer
T. A. Case	Grady	Moore	Spinola
Clapp	J. S. Graham	Morey	Tabor
Clark	Hammond	Noyes	Welsh
Corbett	Hepburn	Peck	Williams
Coulter	Hogeboom	Piper	

Mr. Clark, from the committee on petitions of aliens, to which was referred the bill introduced by Mr. G. M. Case, Int. No. 557, entitled "An act legalizing and confirming a certain deed of real estate executed by M. Lindley Lee to Elizabeth Crumley, and also a certain deed executed by said Elizabeth Crumley to Jennie E. Crumley," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Clark, from the committee on petitions of aliens, to which was referred the bill introduced by Mr. Brick, Int. No. 580, entitled "An act to release the right, title and interest of the people of the State of New York in and to the proceeds of sale of certain real estate in the town of Middletown, county of Richmond, to Phillipena Schworm, widow of Bernard Schworm, deceased," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Clark, from the committee on petitions of aliens, to which was referred the bill introduced by Mr. Tabor, Int. No. 635, entitled "An act to release the interest of the people, etc., in and to all moneys arising from the sale in partition of certain premises situated in the city of

Buffalo," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on railroads, to which was referred the bill introduced by Mr. Hammond, Int. No. 307, entitled "An act for the better and safer management of horse railroads," reported adversely thereto, which report was agreed to.

Mr. Gilbert, from the committee on railroads, to which was referred the bill introduced by Mr. Stephenson, Int. No. 244, entitled "An act to repeal an act entitled 'An act relating to Queens County Railway Company,' passed April 19, 1871, and to repeal the first section of an act entitled An act relating to the Queens County Railway Company, passed May 10, 1872," reported adversely thereto.

(Messrs. Gilbert, Bowen, Baldwin and Billings dissented.)

Mr. Gilbert moved to disagree with the report of the committee, and that said bill be committed to the committee of the whole.

Mr. McGroarty moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

{ AYES 67 }  
{ NOES 8 }

Those who voted in the affirmative, were

Alvord	Dillmeier	Marvin	Rooney
Baker	Dimond	Maynard	Ruggles
Barnes	Ecclesine	McGraw	Sager
Berrigan	Filkin	McGroarty	Santee
Billings	Fish	McKee	Shannon
Bissell	Gallagher	Moody	Sheldon
Bradley	Galvin	Moore	Skinner
Braman	Gere	Morey	Sliter
Brick	Gilbert	Noyes	Stephenson
Bulmer	J. S. Graham	O'Hare	Stone
Burns	Gulick	Peck	Taylor
E. Case	Hammond	Piper	Tighe
G. M. Case	Hayes	Post	Webb
Clapp	Hepburn	Potter	Welsh
Corbett	Herbst	Proper	Wemple
Cowdin	Hogeboom	H. H. Rockwell	Winch
Davenport	Langbein	W. L. Rockwell	

Those who voted in the negative, were

Childs	Holahan	Nachtmann	Stein
Grady	Langner	Spinola	Snydam

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Gilbert, and it was determined in the affirmative.

Mr. Herbst, from the committee on Indian affairs, to which was referred the bill introduced by Mr. Shannon, Int. No. 592, entitled "An act authorizing and confirming a lease made by Benjamin Lewis and other Seneca Indians to Geo. A. Berry, of the right to transmit fluids through a pipe over certain lands on the Allegany reservation, and authorizing said Geo. A. Berry to use such lands for that purpose," reported in favor of the passage of the same, with an amendment, the title amended so as to read "An act authorizing and confirming a lease made by Benjamin Lewis and other Seneca Indians to Geo. A. Berry, of the right to trans-

mit crude petroleum oil through a pipe over certain lands on the Allegany reservation, and authorizing said Geo. A. Berry to use such lands for that purpose," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Welsh, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend section 7 of chapter 833 of the Laws of 1866, entitled 'An act in relation to the benevolent fund of the late volunteer fire department in the city of New York,' passed April 17, 1866, as amended by chapter 962 of the Laws of 1867, and as further amended by chapter 297 of the Laws of 1870."

"An act to amend chapter 742 of the Laws of 1871, entitled 'An act in relation to storage and the keeping of combustible material in the city of New York, the use and control of the fire-alarm telegraph, the incumbrance of hydrants, and other purposes connected with the prevention and extinguishment of fires therein, and imposing certain powers and duties upon the board of fire commissioners of the said city.'"

Mr. O'Hare moved to take from the table the report of the committee on railroads, in the words following:

"Mr. Gilbert, from the committee on railroads, to which was referred the bill introduced by Mr. Coulter, Int. No. 154, entitled 'An act in relation to the fare on the New York Elevated railway, in the city of New York,' reported adversely thereto."

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. O'Hare moved to disagree with the report of the committee, and that said bill be committed to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Baker, from the committee on canals, to which was referred the bill introduced by Mr. J. S. Graham, Int. No. 246, entitled "An act authorizing and empowering the common council of the city of Rochester to construct a swing bridge over the Erie canal at Allen street, in the city of Rochester," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Baker, from the committee on canals, to which was referred the Senate bill entitled "An act reappropriating money to pay drafts heretofore drawn by the Canal Commissioner," reported in favor of the passage of the same, with amendments, the title amended so as to read "An act appropriating money to pay certificates heretofore drawn by the Canal Commissioners," which report was agreed to, and said bill committed to the committee of the whole.

(Mr. Bissell dissented).

Mr. Speaker announced the special order of the day, being the bill entitled "An act to secure better public administration within the city and county of New York."

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act to secure better public administration within the city and county of New York."

And after some time spent therein, Mr. Speaker resumed the chair and directed the Clerk to call the roll, to ascertain if a quorum was present.

Upon the roll being called, the following members answered to their names:

Alvord	Flecke	Maynard	Rooney
Backenstose	Floyd-Jones	McFalls	Ruggles
S. Baldwin	Gallagher	McGraw	Sager
Barnes	Galvin	McGroarty	Sanders
Berrigan	Gere	McKee	Shanley
Billington	Gilbert	Moller	Skillman
Bowen	Grady	Moody	Sliter
Bradley	J. G. Graham	Moore	Speaker
J. H. Brown	J. S. Graham	Morey	Spicer
Bulmer	Gulick	Nachtmann	Spinola
E. Case	Hammond	Neilson	Stein
Clapp	Hayes	Niven	Stephenson
Corsa	Healy	Noyes	Strahan
Coulter	Hepburn	O'Hare	Suydam
Cowdin	Herrick	Orr	Tabor
Cozans	Herbst	Peck	Tighe
Crowley	Hogeboom	Piper	Webb
Dillmeier	Humphrey	Post	Welsh
Dimond	Husted	Potter	Wemple
Ecclesine	Langbein	H. H. Rockwell	Williams
Fay	Longyear	W. L. Rockwell	Winch
Fish	Maher		

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A quorum being found to be present,

The House again resolved itself into a committee of the whole on the bill entitled as follows:

"An act to secure better public administration within the city and county of New York."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Lang, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Fish moved that said bill be made a special order for Tuesday morning, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. J. S. Graham offered for the consideration of the House a resolution, in the words following:

*Whereas*, It is necessary that the sub-committee of the whole, for the proper and expeditious transaction of its business, should have the services of a messenger; therefore,

*Resolved*, That Erwin Payne be and he is hereby appointed messenger to the sub-committee of the whole, at the same rate of compensation as is allowed to other messengers of committees of the Assembly.

*Ordered*, That said resolution be referred to the committee on expenditures of the House.

Mr. Husted offered for the consideration of the House, a resolution, in the words following:

*Resolved*, That the committee on ways and means be discharged from the further consideration of the bill entitled "An act in relation to the rate of interest on taxes and assessments in the city of Brooklyn," and that the same be referred to the committee on affairs of cities.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Noyes offered for the consideration of the House a resolution, in the words following:

*Resolved* (if the Senate concur), That 2,500 copies of the twenty-third annual report of the Superintendent of Public Instruction be printed, 1,000 to be bound in cloth, for distribution by that officer; also, one copy for each school district and school commissioner in the State, and 500 copies, bound in cloth, for the use of the Legislature.

*Ordered*, That said resolution be referred to the committee on public printing.

By unanimous consent,

Mr. Hayes introduced a bill entitled "An act for the improvement of the navigation of the Hudson river, and to make an appropriation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Post offered for the consideration of the House a resolution, in the words following:

*Resolved*, That 1,000 extra copies of the report of the Commission on the Government of Cities, be printed for the use of the Legislature.

Said resolution giving rise to debate,

*Ordered*, That the same be laid on the table.

On motion of Mr. Lang, at 1 o'clock and 5 minutes, the House adjourned.

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## MONDAY, MARCH 12, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Magee.

The journal of Friday, March 9, was read and approved.

On motion of Mr. Alvord, the privileges of the floor were granted to Hon. Mr. Brockett, formerly a member of this House.

Leave of absence was granted to Mr. Mitchell for this session.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to amend chapter 176 of the Laws of 1851, entitled 'An act to amend the law for the assessment and collection of taxes, and chapter 536 of the Laws of 1857, entitled 'An act to amend chapter 13, part 1 of the Revised Statutes, entitled 'Of the assessment and collection of taxes,' and chapter 176 of Laws of 1851,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the trustees of the New York and Brooklyn bridge to change the site of a portion of Frankfort street, between Pearl and Jacob streets, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to authorize the treasurer of Monroe county to sell property for unpaid taxes," which was read the first time, and by unanimous con-



sent was also read the second time, and referred to the committee on the judiciary.

A message from the Senate was received and read informing of concurrence in the passage of the bill entitled as follows:

"An act to amend chapter 606 of the Laws of 1866, entitled 'An act to incorporate the village of Cambridge,' passed April 16, 1866, and the several acts amendatory thereof."

*Ordered*, That the Clerk deliver said bill to the Governor.

Mr. Alvord offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the janitor of the Assembly be required, at the close of every session, to open the windows of the chamber to give the same an airing, and the same also just previous to the commencement of a session; and that he be required to prevent all smoking within the chamber during recess, and that no occupation of the chamber be allowed, either by members or other persons, which shall interfere with proper ventilation.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Hogeboom introduced a bill entitled "An act to exclude from the right of suffrage any person convicted of having received a bribe for voting," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Maynard introduced a bill entitled "An act to amend section 1 of chapter 803 of the Laws of 1868, entitled 'An act to amend the acts to provide for the incorporation of religious societies, so far as the same relate to churches connected with the Protestant Episcopal church,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Fay introduced a bill entitled "An act to amend chapter 286 of the Laws of 1875, entitled 'An act to amend chapter 474, entitled An act to amend chapter 504 of the Laws of 1873, entitled An act in relation to a certain highway in the county of Hamilton, appropriating certain non-resident highway moneys thereto, and repealing acts heretofore passed in relation thereto,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Also, a bill entitled "An act to repeal section 51 of chapter 505 of the Laws of 1873, entitled 'An act to reorganize the village of Gloversville,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Stephenson introduced a bill entitled "An act to provide for the creation of a board of charities, and for a better administration of the public charities in the county of Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Suydam introduced a bill entitled "An act to amend an act to amend the charter of the city of Brooklyn and the various amendments thereof, passed June 28, 1873, and to further amend the charter of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to establish a high school in the city of

Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Sheldon introduced a bill entitled "An act to amend section 1 of chapter 398 of the Laws of 1866, entitled 'An act to facilitate the construction of the New York and Oswego Midland railroad, and to authorize towns to subscribe to the capital stock thereof,' and to repeal chapter 143 of the Laws of 1876," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Ecclesine introduced a bill entitled "An act to amend the two hundred and ninety second section of the Code of Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Benedict introduced a bill entitled "An act to amend section 1 of chapter 374 of the Laws of 1876, entitled 'An act to amend section 9 of chapter 567 of the Laws of 1875, entitled 'An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Also, a bill entitled "An act to authorize the Orange county asylum for the chronic insane to receive patients or inmates from adjoining counties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State charitable institutions.

Mr. Brick introduced a bill entitled "An act to extend the time for the collection of taxes in the several towns in the county of Richmond, and to authorize the collector of taxes in said towns to proceed with the collection thereof," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Brick, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 {  
{ NOES 00 {

Those who voted in the affirmative, were

Alvord	Coulter	Maynard	Shanley
Baker	Cowdin	McFalls	Shannon
M. L. Baldwin	Dillmeier	McKee	Sheldon
Barnes	Dimond	Moller	Skinner
Benedict	Ecclesine	Moore	Speaker
Berrigan	Fay	Nachtmann	Spinola
Billings	Fish	Neilson	Stein
Billington	Floyd-Jones	Noyes	Stephenson
Bissell	Gallagher	O'Hare	Stone
Bowen	Grady	Peck	Suydam
Bradley	J. G. Graham	Piper	Tabor
Braman	Hamilton	Post	Taylor
Brick	Hammond	Potter	Thistlethwaite

J. S. Brown	Hepburn	Proper	Tighe
Bulmer	Herrick	Purdy	Valentine
E. Case	Hodges	H. H. Rockwell	Webb
G. M. Case	Holahan	W. L. Rockwell	Weiant.
Childs	Husted	Rooney	Welsh
Clapp	Langbein	Sanders	Williams
Corbett	Maher	Santee	Winch
Corsa			

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Hamilton introduced a bill entitled "An act to protect persons purchasing sewing machines," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Mr. Moller introduced a bill entitled "An act to authorize railroad corporations to pay commutation money for highway labor to the commissioners of highways of towns," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Purdy introduced a bill entitled "An act for the construction and management of the New York city gas works," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Tabor introduced a bill entitled "An act in relation to the powers of corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Langbein introduced a bill entitled "An act to amend chapter 436 of the Laws of 1872, entitled 'An act relative to the setting of fykes and other nets in Harlem and East rivers,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Also, a petition on the same subject, which was read and referred to the same committee.

Mr. Tighe introduced a bill entitled "An act to provide for the licensing and government of pilots and regulating pilotage of the port of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Cowdin introduced a bill entitled "An act to provide for the construction, repair and improvement of docks, wharfs, piers, slips and bulkheads in the city of New York and for the management and control of the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Brill introduced a bill entitled "An act to authorize the village of Sag Harbor, Suffolk county, to borrow money for purchasing a steam-fire apparatus with the necessary appurtenances therefor, and to secure a supply of water therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, a petition on the same subject, which was read and referred to the same committee.

Mr. H. H. Rockwell called from the table the message of his excellency the Governor in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }  
ALBANY, March 7, 1877.

*To the Assembly:*

In accordance with a joint resolution of the Senate and Assembly, I return herewith, for amendment, Assembly bill No. 523, entitled "An act to amend an act entitled 'An act to revise and consolidate the several acts relating to the city of Elmira.'"

L. ROBINSON.

Mr. H. H. Rockwell moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to said motion to reconsider, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Corbett	Maher	Santee
Baker	Corsa	Maynard	Shanley
M. L. Baldwin	Cowdin	McFalls	Shannon
Barnes	Cozans	McKee	Sheldon
Benedict	Dillmeier	Moller	Skinner
Berrigan	Dimond	Moore	Speaker
Billington	Ecclesine	Nachtmann	Stein
Bissell	Fay	Neilson	Stephenson
Bowen	Fish	Noyes	Stone
Bradley	Floyd-Jones	O'Hare	Suydam
Braman	J. G. Graham	Peck	Tabor
Brick	Hamilton	Piper	Taylor
Brill	Hammond	Post	Thistlethwaite
J. S. Brown	Hepburn	Potter	Valentine
Bulmer	Herrick	Proper	Webb
Burns	Hodges	Rice	Weiant
E. Case	Hogeboom	H. H. Rockwell	Welsh
G. M. Case	Holahan	W. L. Rockwell	Wickes
Childs	Husted	Ruggles	Williams
Clapp	Langbein	Sanders	

On motion of Mr. H. H. Rockwell, and by unanimous consent, said bill was amended as follows:

Strike out of section 1 all after, and including the word "also," and insert in place thereof the following: "Also all the following described piece or parcel of land, viz.: Beginning at a point in the intersection of the easterly line of Grove street, with a line in the northerly line of the Conklin farm herein above mentioned; thence north seventy-four degrees east, along a line in the north line of said Conklin farm sixteen hundred feet to a point in the westerly line of Davis street; thence north sixteen degrees, west along the westerly line of said Davis street fifteen hundred feet, to a point in the south-east corner of the Bancroft farm; thence south seventy-four degrees west, along the southerly line of said Bancroft farm fourteen hundred and ten feet, to a point in the easterly line

of the Bancroft road; thence south thirty-five degrees west, along the easterly line of said Bancroft road two hundred and fifty feet, to a point in the intersection of the easterly line of said Bancroft road with the easterly line of Grove street; thence south sixteen degrees east, along the easterly line of said Grove street thirteen hundred and fifty feet, to the place of beginning, shall be known as the city of Elmira."

Strike out section 12, and renumber the sections that follow it.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 78 }  
} NOES 00 }

Those who voted in the affirmative, were

Alvord	Cowdin	McFalls	Shannon
Baker	Cozans	McKee	Sheldon
M. L. Baldwin	Dillmeier	Moller	Skinner
Barnes	Dimond	Moore	Speaker
Benedict	Fay	Nachtmann	Spinola
Berrigan	Fish	Neilson	Stephenson
Billings	Floyd-Jones	Niven	Stone
Bissell	Gallagher	Noyes	Suydam
Bowen	J. G. Graham	Peck	Tabor
Bradley	Hamilton	Piper	Taylor
Braman	Hammond	Post	Thistlethwaite
Brick	Healy	Potter	Tighe
Brill	Hepburn	Proper	Valentine
J. S. Brown	Herrick	H. H. Rockwell	Webb
Bulmer	Hodges	W. L. Rockwell	Weiant
E. Case	Hogeboom	Rooney	Welsh
G. M. Case	Husted	Ruggles	Wickes
Clapp	Langbein	Sanders	Williams
Corbett	Maher	Santee	Winch
Corsa	Maynard		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Cowdin introduced a bill entitled "An act to provide additional members of the board of commissioners of the sinking fund of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Leave of absence was granted to Mr. S. Baldwin.

Mr. Fish presented a petition of the board of supervisors of Putnam county, that the law applicable to sale of land for non-payment of taxes in Westchester county be extended to Putnam county; also, to exempt lakes Mahopac and Glenlida from the effect of the act to provide pure and wholesome water for the city of New York; which was read and referred to the committee on affairs of cities.

Mr. Floyd-Jones presented a petition of the Queens County Bar Association in relation to the Code of Remedial Justice; which was read and referred to the committee on the judiciary.

Mr. Santee presented a petition of residents of Steuben county relating to reduction of salary of county judge; which was read and referred to the committee on the judiciary.

Also, a petition of lawyers of Steuben county for the repeal of an act relating to courts, officers of justice and civil proceedings, passed June 2, 1876; which was read and referred to the committee on the judiciary.

Mr. Potter presented a petition of citizens of Washington county for the enactment of a law allowing school districts by vote to change from one trustee to three; which was read and referred to the committee on public education.

Mr. Skinner presented three petitions of citizens of Jefferson county for reduction of the salaries of county judge and surrogate of said county; which was read and referred to the committee on the judiciary.

Also, eleven petitions of citizens of Jefferson county for general reduction of official salaries; which was read and referred to the committee on the judiciary.

Mr. Cowdin presented a petition of the commercial bodies of the city of New York in reference to docks, piers, etc.; which was read and referred to the committee on affairs of cities.

Mr. Hayes presented a petition of citizens, for the appointment of railway commissioners; which was read and referred to the committee on railroads.

Mr. Moore presented a petition of citizens of Oneida county, against repeal of civil damage act, passed 1873; which was read and referred to the committee on internal affairs.

Also, a petition of citizens of Oneida county, for special game constables; which was read and referred to the committee on ways and means.

Mr. Gere presented a petition of citizens of Tioga county, for the use of the Chenango Canal Extension, for railroad purposes; which was read and referred to the committee on railroads.

Mr. Langbein presented a petition of citizens of Harlem, against filling up Little Hell Gate; which was read and referred to the committee on affairs of cities.

Mr. E. Case presented a remonstrance of citizens of Oneida county against proposed amendments of plank-road law; which was read and referred to the committee on roads and bridges.

Mr. Sheldon presented a petition of citizens of Lebanon, New York, for repeal of chapter 143 of the Laws of 1876, relating to railroad commissioners; which was read and referred to the committee on railroads.

Mr. Corbett presented a remonstrance of citizens of Oneida county against repeal of law relating to highway commissioners acting as inspectors of plank-roads; which was read and referred to the committee on general laws.

Also, a remonstrance of citizens of New Hartford, Oneida county, against amending the act of 1876, under which plank-road and turnpike companies reorganize, and against exempting Oneida county from the operation of the act under which commissioners of highways act as inspectors of plank-roads; which was read and referred to the committee on roads and bridges.

Mr. McKee presented two petitions of citizens of Herkimer county for special game constables; which was read and referred to the committee on ways and means.

Also, a petition of citizens of Herkimer county for the repeal of the act authorizing the Utica and Black River railroad to increase their rates of fare; which was read and referred to the committee on railroads.

Mr. Fish offered for the consideration of the House a resolution; in the words following:

*Resolved*, That the Attorney-General be respectfully requested to report to this House, within ten days, the amount which has been received by himself in any and all the suits brought in the name of the people of the State, for the recovery of the moneys belonging to the city or county of New York, in what is commonly known as the "Ring suits," specifying the names of the parties from whom received, and also the amount of allowances made, and to whom paid for legal services in and about said suits, or for any of the expenses thereof.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Fish offered for the consideration of the House a resolution, in the words following:

*Resolved*, That no member of this House shall be permitted to speak more than five minutes at a time, without unanimous consent, in the committee of the whole.

Said resolution giving rise to debate,

*Ordered*, That the same be laid on the table.

Mr. Peck offered for the consideration of the House a resolution, in the words following:

*Resolved*, That bill No. 206, entitled "An act to amend and make additions to chapter 463, Laws of 1860, entitled 'An act to revise the charter of the city of Oswego, and the acts amendatory thereof,'" be recommitted to the committee on affairs of cities, for amendment, and retain its place on general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Alvord offered for the consideration of the House a resolution, in the words following:

*Resolved*, That bill, printed No. 258, G. O. 259, entitled "An act to amend the charter of the city of Syracuse, so far as concerns the reorganization of the fire department of said city," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. O'Hare offered for the consideration of the House a resolution, in the words following:

*Whereas*, It is charged that in the city of New York there is a corrupt and powerful combination of life insurance companies known as "The Chamber of Life Insurance," whose avowed and public object is to prevent disclosures and revelations which would tend to impair confidence in insolvent and rotten life insurance companies, and to conceal the dishonest practices and methods in vogue among those more influential and prosperous; and,

*Whereas*, It is charged that the said "The Chamber of Life Insurance" is a close corporation of persons banded together for the further purpose of improperly influencing the press, the judiciary and legislation; therefore,

*Resolved*, That a select committee of five, to be appointed by the Speaker, be and it hereby is directed to investigate the affairs of said

"The Chamber of Life Insurance," to inquire into its objects and aims, and that, for the better prosecution of said investigation and inquiry, said committee is empowered to send for persons, books and papers, to examine witnesses, under oath or affirmation, and generally to do in and about said matter whatever it may deem necessary in furtherance of the intent of this resolution. The sessions of said select committee to be held at the city of Albany, and report thereon to be made to this Assembly within ten days, unless otherwise ordered.

Said resolution giving rise to debate,

*Ordered*, That the same be laid on the table.

Mr. O'Hare called from the table a resolution previously offered by him in the words following:

*Whereas*, Widespread distrust and universal dissatisfaction prevail in the public mind, caused by the laxity and incompleteness of past legislation upon the subject of life insurance, and by the gross frauds and mismanagement which have brought many of the life insurance companies of the State of New York to the verge of insolvency, if not to utter bankruptcy; and,

*Whereas*, Ruin and desolation have been entailed upon many once happy homes, by the calamitous failures of life insurance companies, formerly considered bulwarks of strength and solvency; and,

*Whereas*, In addition to a thorough, sweeping and radical investigation of life insurance matters, through the instrumentality of a commission appointed by law, it is imperatively necessary that some steps should be taken towards the immediate enactment of such laws as will remedy the evils already known to exist therein; therefore,

*Resolved*, That the committee on insurance, of this House, be and it hereby is directed, within fifteen days, to prepare and report a general bill which shall contain such provisions and create such penalties and sanctions, both civil and criminal, as will effectually check the evils from which the community is now suffering, and prevent a recurrence of the disasters that have made them generally felt and recognized.

Mr. O'Hare moved to amend by striking out the words "within fifteen days," and insert in lieu thereof the words "on Friday next."

Mr. Purdy offered the following as a substitute:

*Whereas*, The State Superintendent of Insurance in his communication to the Senate, under date of February 21, reported that the following insurance companies, namely, the Equitable Life Assurance Company, the Globe Mutual Life Insurance Company, the Knickerbocker Life Insurance Company, the Metropolitan Life Insurance Company, the Mutual Life Insurance Company, the New York Life Insurance Company, the World Mutual Life Insurance Company, have not answered the resolution of the Senate, passed January 16, 1877, calling for a detailed statement, showing the amount paid in salaries, fees, compensation or donations to their respective presidents, vice-presidents, secretaries, medical examiners, attorneys, counselors and other employes for the year 1876; therefore,

*Resolved*, That the insurance committee of this House be requested to summon the president, vice-president, secretary and actuary of each of the aforesaid companies, and require a statement under oath as to each of the questions propounded in the resolutions of the Senate.

Mr. O'Hare accepted the substitute for the original resolution and amendment.



Mr. Weiant moved to amend by adding at the end of said resolution the following:

*Resolved*, That the committee on insurance be required to report to this House, for its consideration, a bill covering the more important defects in the present insurance laws relating to life insurance companies, on or before the 16th day of March, inst.

Mr. Strahan moved to amend by adding at the end of the resolution offered by Mr. Weiant, the following: And be it further

*Resolved*, That the insurance committee of this House be required to summon the president, vice-president, secretary and actuary of the Equitable Life Assurance Company, the Globe Mutual Life Insurance Company, the Knickerbocker Life Insurance Company, the Metropolitan Life Insurance Company, the Mutual Life Insurance Company, the New York Life Insurance Company and the World Mutual Life Insurance Company, and require a statement, under oath, from each of them, as to the amount paid in salaries, fees, compensation or donations to their respective presidents, vice-presidents, secretaries, medical examiners, attorneys, counselors, and other employees, for the year 1876, and report the result of such examination to this House within ten days.

Mr. Speaker put the question whether the House would agree to said amendment of Mr. Strahan, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said amendment of Mr. Weiant, as amended, and it was determined in the affirmative.

Mr. Strahan moved to amend by striking out the preamble and resolution offered by Mr. Purdy.

Mr. Tighe moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Strahan to strike out, and it was determined in the affirmative.

Mr. Hogeboom called for a division of the question.

Mr. Speaker put the question whether the House would agree to said first resolution directing the insurance committee to report a bill, and it determined in the affirmative.

{ AYES 92 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Corsa	Langbein	Shannon
Baker	Cowdin	Maher	Sheldon
M. L. Baldwin	Cozans	Maynard	Skillman
Barnes	Davenport	McFalls	Skinner
Benedict	Dillmeier	McKee	Speaker
Berrigan	Dimond	Moller	Spinola
Billings	Ecclesine	Moody	Stein
Billington	Fay	Moore	Stephenson
Bissell	Fish	Nachtmann	Stone
Bowen	Floyd-Jones	Neilson	Strahan
Bradley	Gallagher	Noyes	Suydam
Braman	Gere	O'Hare	Tabor
Brick	Grady	Peck	Taylor
Brill	J. G. Graham	Piper	Thistlethwaite

J. H. Brown	Hamilton	Post	Tighe
J. S. Brown	Hammond	Potter	Valentine
Bulmer	Hayes	Proper	Waddell
Burns	Hepburn	Purdy	Webb
E. Case	Herrick	Rice	Weiant
G. M. Case	Hodges	W. L. Rockwell	Welsh
Childs	Hogeboom	Ruggles	Wickes
Clapp	Holahan	Sanders	Williams
Corbett	Husted	Santee	Winch

Mr. Speaker then put the question whether the House would agree to said second resolution instructing the insurance committee to call upon certain life insurance companies for information, and it was determined in the affirmative.

{ AYES 90 }  
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Corsa	Maynard	Sheldon
Baker	Coulter	McFalls	Skillman
M. L. Baldwin	Cowdin	McKee	Skinner
Barnes	Cozans	Moller	Speaker
Benedict	Davenport	Moody	Spinola
Berrigan	Dillmeier	Moore	Stein
Billings	Dimond	Nachtmann	Stephenson
Billington	Fay	Neilson	Stone
Bissell	Fish	Noyes	Strahan
Bowen	Gallagher	O'Hare	Suydam
Bradley	Gere	Peck	Tabor
Braman	Grady	Post	Taylor
Brick	J. G. Graham	Potter	Thistlethwaite
Brill	Hamilton	Proper	Tighe
J. H. Brown	Hammond	Purdy	Valentine
J. S. Brown	Hayes	Rice	Waddell
Bulmer	Healy	W. L. Rockwell	Webb
Burns	Hepburn	Rooney	Weiant
E. Case	Herrick	Ruggles	Welsh
G. M. Case	Hodges	Sanders	Wickes
Childs	Husted	Santee	Williams
Clapp	Langbein	Shannon	Winch
Corbett	Maher		

Those who voted in the negative, were

Ecclesine      Hogeboom      Piper

Mr. Stein offered for the consideration of the House a resolution, in the words following:

*Resolved*, That Assembly bill No. 160, introduced by Mr. Stein, entitled "An act to amend sections 6 and 29 of chapter 495 of the Laws of 1875, entitled 'An act relating to the court of arbitration of the Chamber of Commerce of the State of New York, and to provide for the expenses thereof,'" be considered in the next committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Hayes offered for the consideration of the House a resolution, in the words following :

*Whereas*, A great and wanton destruction of deer is now taking place in the northern counties of the State ; therefore,

*Resolved*, That the committee on game laws be and is hereby instructed to inquire into and report by bill, or otherwise, what additional police regulations may be necessary in order to prevent the extermination of deer throughout the State.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. McKee offered for the consideration of the House a resolution, in the words following :

*Resolved*, That Senate bill No. 95, entitled "An act to amend chapter 361 of the Laws of 1852, entitled 'An act to facilitate the dissolution of manufacturing corporations in the county of Herkimer, and to secure the payment of their debts without preference,'" be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Husted moved that the House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon, at 10 o'clock and 45 minutes, the House adjourned.

## TUESDAY, MARCH 13, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Krohn.

The journal of yesterday was read and approved.

By unanimous consent,

Mr. Strahan introduced a bill entitled "An act relative to public instruction in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The Senate returned the bill entitled "An act to amend chapter 125 of the Laws of 1874, entitled 'An act to provide for the establishment of a system of graded schools in the village of Ithaca,'" with a message informing that they had reconsidered the final vote upon which said bill was passed, and had passed the same with the following amendment :

Strike out all of section 5 in said bill.

Mr. Santee moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to said motion to reconsider, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Coulter	Langbein	Sager
Backenstose	Cowdin	Maher	Sanders

Baker	Davenport	Marvin	Santee
Barnes	Dillmeier	Maynard	Shanley
Benedict	Dimond	McFalls	Sheldon
Berrigan	Fay	McGroarty	Skinner
Billings	Fish	Moller	Spicer
Billington	Flecke	Moody	Stephenson
Bissell	Floyd-Jones	Moore	Stone
Bowen	Gallagher	Nachtmann	Strahan
Brick	Gere	Neilson	Suydam
Brill	Gilbert	Niven	Taylor
J. H. Brown	Hamilton	O'Hare	Thistlethwaite
J. S. Brown	Hammond	Orr	Tighe
Bulmer	Herrick	Peck	Valentine
E. Case	Hodges	Piper	Webb
G. M. Case	Hogeboom	Post	Weiant
T. A. Case	Humphrey	Proper	Welsh
Clapp	Husted	Rice	Wemple
Corbett	King	H. H. Rockwell	Wickes
Corsa	Lang	Ruggles	Winch

Said bill, as amended by the Senate, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85  
{ NOES 00 {

Those who voted in the affirmative, were

Alvord	Cozans	Maher	Shanley
Backenstose	Davenport	Marvin	Shannon
Baker	Dillmeier	Maynard	Skillman
Barnes	Dimond	McFalls	Skinner
Benedict	Fay	McGroarty	Speaker
Berrigan	Fish	Moller	Spicer
Billings	Flecke	Moore	Stephenson
Billington	Floyd-Jones	Nachtmann	Stone
Bissell	Gallagher	Neilson	Strahan
Bowen	Gere	Niven	Suydam
Brick	Gilbert	Noyes	Taylor
Brill	Gulick	O'Hare	Thistlethwaite
J. H. Brown	Hamilton	Orr	Tighe
J. S. Brown	Hammond	Piper	Valentine
Bulmer	Herrick	Post	Waddell
E. Case	Hodges	Potter	Webb
G. M. Case	Hogeboom	Rice	Weiant
T. A. Case	Humphrey	W. L. Rockwell	Wemple
Clark	King	Ruggles	Wickes
Corbett	Lang	Sager	Williams
Corsa	Langbein	Santee	Winch
Cowdin			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same, as amended.

Indefinite leave of absence was granted to Mr. Longyear.

The privileges of the floor were granted to Messrs. James Hayes, Blumenthal and T. Cooper Campbell, formerly members of the House.

The Senate returned the bill entitled "An act to extend the time for the collection of taxes in the several towns in the county of Rockland," with a message informing that they had passed the same with the following amendments:

Strike out all after the enacting clause and insert the following:

SECTION 1. If any collector or receiver of taxes in any town of this State shall pay over all moneys collected by him and shall renew his bond as herein provided, the time for the collection of taxes and for making return thereof by him, shall be and is hereby extended to the first day of May, 1877. Such bond shall be renewed with such sureties as, in any town, shall be approved by the supervisor thereof, or, in case of his absence or inability to act, by the town clerk thereof. The penalty thereof in any case shall be double the amount of taxes in that case remaining uncollected. The bond shall be approved in writing and filed in the same manner as the original bond is required by law to be filed, and have all the effect of a collector's or receiver's bond. A copy of the bond and the approval thereof shall, within fifteen days after the passage of this act, be delivered to the county treasurer of the county in which said town is; but nothing herein contained shall be construed as extending the time for the payment of the State tax, or any part thereof, by the county treasurer of said county to the Comptroller, as now provided by law.

§ 2. This act shall take effect immediately.

Amend the title so as to read "An act to authorize the extension of the time for the collection of taxes in the several towns of the State."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Coulter	Langbein	W. L. Rockwell
Backenstose	Cowdin	Langner	Rooney
Baker	Crowley	Lyon	Ruggles
M. L. Baldwin	Davenport	Maher	Sanders
Barnes	Dillmeier	Marvin	Santee
Benedict	Dimond	Maynard	Shanley
Berrigan	Fay	McGroarty	Sheldon
Billings	Flecke	McKee	Skinner
Billington	Floyd-Jones	Moller	Spicer
Bowen	Gallagher	Moody	Stein
Brick	Gere	Moore	Stone
Brill	Gilbert	Nachtmann	Strahan
J. H. Brown	J. S. Graham	Neilson	Suydam
J. S. Brown	Gulick	Niven	Tabor
Bulmer	Hamilton	Noyes	Taylor
Burns	Hammond	Orr	Thistlethwaite
E. Case	Herrick	Peck	Valentine
G. M. Case	Hodges	Piper	Waddell

T. A. Case	Hogeboom	'Post	Weiant
Clapp	Humphrey	Potter	Welsh
Clark	Husted	Rice	Wemple
Corbett	King	H. H. Rockwell	Williams
Corsa	Lang		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Speaker and the Clerk presented the following bills as referred to the sub-committee of the whole:

Senate, G. O. 279, No. 38, "An act to provide for the better administration of justice in the town of Watervliet, in the county of Albany."

G. O. 269, No. 266, "An act to amend chapter 71 of the Laws of 1844, entitled 'An act to amend an act for the incorporation of the village of Oxford, and for other purposes.'"

G. O. 272, No. 270, "An act in relation to proceedings in surrogates' courts."

G. O. 275, No. 273, "An act further to amend chapter 450 of the Laws of 1847, entitled 'An act requiring compensation for causing death by wrongful act, neglect or default, as amended by chapter 78 of the Laws of 1870.'"

G. O. 290, No. 282, "An act to confirm the election of trustees in the village of North Tonawanda, in the county of Niagara, and to provide for their election hereafter."

G. O. 291, No. 283, "An act to amend chapter 76 of the Laws of 1850, entitled 'An act to revise and consolidate the laws in relation to the village of Whitehall,' passed March 16, 1850, and other acts amendatory thereof."

Senate, G. O. 248, No. 87, "An act authorizing the board of trustees of the village of West Troy to contract for a supply of water for public purposes."

G. O. 253, No. 251, "An act to amend chapter 389 of the Laws of 1876, entitled 'An act to amend chapter 504 of the Laws of 1875, entitled An act to amend chapter 455 of the Laws of 1874, entitled An act to protect the fisheries of Cross lake, in the county of Onondaga, State of New York; also, of Clyde and Seneca rivers, in the counties of Wayne and Cayuga.'"

G. O. 254, No. 252, "An act to prevent fishing for trout for three years in Owasco lake, in the county of Cayuga."

G. O. 261, No. 260, "An act in relation to countersigning warrants for payments from the treasury of the city of New York."

Senate, G. O. 270, No. 99, "An act to amend chapter 559 of the Laws of 1864, entitled 'An act to amend the act entitled An act to provide for the incorporation of villages,' passed December 7, 1847, so far as relates to the village of Corning, in the county of Steuben."

Senate, G. O. 226, No. 100, "An act further to amend chapter 692 of the Laws of 1866, entitled 'An act to amend an act fixing the fees of justices of the peace and constables in civil and criminal cases, and the fees of jurors and witnesses in justices' courts, and for other purposes.'"

Senate, G. O. 228, No. 28, "An act to legalize and confirm the official acts of Oliver G. Steele, Howard H. Baker and Edward L. Stevenson, as real estate commissioners of the Young Men's Association of the city of Buffalo."

Senate, G. O. 231, No. 93, "An act to amend section 4, title 5, chapter 20 of part 1 of the Revised Statutes, entitled 'Of disorderly persons.'"

G. O. 234, No. 234, "An act to authorize the county clerk of the county of Chenango to certify defective records and enter certain orders and judgments, omitted to be entered by his predecessors in office."

G. O. 238, No. 238, "An act to create a police pension fund for disabled and retired policemen in the city of Brooklyn."

Senate, G. O. 192, No. 103, "An act to amend section 16 of title 3 of chapter 6 of part 1 of the Revised Statutes, entitled 'Of the mode of notifying general and special elections.'"

G. O. 204, No. 213, "An act to amend section 23 of chapter 10 of the Laws of 1859, entitled 'An act to amend an act entitled An act to revise, amend and consolidate the several acts relating to the village of Whitesborough,' passed February 12, 1859, as amended by chapter 304 of the Laws of 1873."

G. O. 205, No. 214, "An act to authorize the trustees of the corporation of the village of Portageville, county of Wyoming, to cause an assessment to be made of the taxable property of said corporation, and to be levied and collected a tax sufficient to pay the indebtedness of said corporation."

G. O. 216, No. 224, "An act for the better protection of human life and limb."

G. O. 97, No. 125, "An act to provide for making, to the New York Infirmary for Women and Children, the same allowances and payments for the care and maintenance of lying-in and nursing women, as are now provided by law for the New York Infant Asylum."

G. O. 178, No. 192, "An act to amend sections 1 and 6 of chapter 280 of the Laws of 1845, entitled 'An act for the publication of the Session Laws in two newspapers in each county of the State,' passed May 14, 1845."

G. O. 188, No. 202, "An act to incorporate the fire department of the village of Plattsburgh."

G. O. 189, No. 203, "An act to legalize the acts of Charles C. Wakeley as notary public."

Senate, G. O. 191, No. 102, "An act to amend chapter 164 of the Laws of 1875, entitled 'An act for the relief of the grand-children of Samuel F. Pratt, late of the city of Buffalo, deceased.'"

G. O. 292, No. 284, "An act to amend chapter 370 of the Laws of 1873, entitled 'An act to revise and amend an act entitled An act to incorporate the village of Port Jervis,' passed March 30, 1866, and all acts relating thereto,' passed May 1, 1873."

G. O. 293, No. 285, "An act to incorporate the Horseheads fire department."

G. O. 294, No. 286, "An act to amend chapter 224, Laws of 1872, entitled 'An act to amend an act entitled An act to consolidate and amend the several acts relating to the village of Watkins, and to enlarge the powers of the corporation of said village,' passed April 3, 1861, passed April 12, 1872."

The Senate returned the bill entitled "An act in relation to the office of Superintendent of Public Works, defining the powers of the superintendent, and prescribing the mode of disbursements on account of the canals," with a message informing that they had passed the same, with the following amendments:

Section 1, lines 8, 9 and 10, strike out the words "whose warrant upon the Treasurer shall be countersigned by the Comptroller."

Line 17, after the word "sureties," insert "who shall, in the aggregate, justify in double of the amount of the penalty of such bond."

Lines 27 and 28, strike out the words "to be by law or concurrent resolution of the Senate and Assembly," and insert the words "by the Governor. And said Superintendent of Public Works, as a member of the Canal Board, shall be entitled to one vote only."

Section 2, line 5, after the word "all," insert the words "actual and."

Line 7, strike out the words "whose," and insert the words "by his."

Lines 8 and 9, strike out the words "shall be countersigned by the Comptroller."

Line 17, after the word "sureties," insert the words "who shall, in the aggregate, justify in double the amount of the penalty of the bond."

Lines 26 and 27, strike out the words "to be by law or by concurrent resolution of the Senate and Assembly," and insert the words "by the Superintendent of Public Works."

Section 3, line 2, after the word "power," insert the words "and it shall be his duty."

Line 6, after the word "navigation," strike out the balance of the section and insert the words "all purchases of materials for repairs to engineering works shall be made subject to measurement and inspection under under the direction of the State Engineer and Surveyor, whenever practicable to do so."

Section 4, line 2, strike out the word "shall," and insert the word "may."

Lines 3 and 4, strike out the word "foreman" and insert the words "person as overseer."

Line 4, after the word "section," insert the words "and to purchase, under the direction of the Superintendent of Public Works, necessary materials, tools and implements."

Line 9, strike out the word "foreman" and insert the word "overseer."

Line 20, after the word "works," insert the words "for his approval," and after the word "therefore" insert the words "if approved by him, indorse his approval thereon and."

Line 25, strike out the word "and." Commence the word "payment" with a capital.

Add at the end of the section the words "or at such other time as the superintendent shall designate. Each overseer shall take the same oath as herein prescribed to be taken by the Superintendent of Public Works, and shall perform such official duties as shall be required of him by said Superintendent of Public Works."

Section 5, line 1, after the word "labor," insert the word "done."

Line 2, strike out the words "done and provided" and insert the word "furnished."

Line 4, after the word "department," strike out the balance of the section and insert the words "and all moneys therefor shall be drawn by his warrant upon the Treasurer for the payment of the same."

Section 6, line 2, after the word "ordered," insert the words "to be done."

Line 3, after the word "or," insert the words "by the."

Lines 3 and 4, strike out the words "to be done" and insert the words "in pursuance of law."

Line 12, after the word "the," insert the words "concurrent action of the."

Line 13, strike out the word "jointly." Place a period after the word



"superintendent" and commence a new sentence with the word "payment."

Strike out section 7 and insert in lieu thereof the following :

§ 7. The compensation for all officers and employes under the Superintendent of Public Works, not herein before provided for, shall be fixed by the Superintendent of Public Works.

Section 8, add at the end of section the words "and who shall remain in employment so long as the Superintendent of Public Works may require." Strike out section 9 and insert the following :

§ 9. No appointments shall be made for partisan purposes or by reason of political opinions, and no increase of force upon the canals shall be made at any time within sixty days preceding any annual election for State officers, except when the Superintendent of Public Works shall certify the necessity therefor, and he shall in such certificate state the reasons which make such increased force necessary, which certificate shall be immediately published when made in the official State journal.

Amend the title so as to read : "An act in relation to the Superintendent of Public Works."

Mr. Baker moved to non-concur in the Senate amendments, and that a committee of conference be appointed on the part of the House and request that a like committee be appointed on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced as such committee on the part of the House, Messrs. Baker, Alvord, Braman, Spinola and Cozans.

Mr. J. S. Graham presented the report of the sub-committee of the whole; which was laid on the table and ordered printed.

(See Doc. No. 74.)

Mr. J. S. Graham called from the table the report of the sub-committee of the whole in favor of the passage of the bills entitled as follows :

G. O. 88, No. 118, "An act to amend chapter 820 of the Laws of 1873, entitled 'An act to amend an act entitled An act to suppress intemperance and to regulate the sale of intoxicating liquors, passed April 16, 1857.'" [With amendments.]

G. O. 170, No. 184, "An act to amend chapter 555, Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,' passed May 2, 1864." [With an amendment.]

G. O. 104, No. 131, "An act to amend chapter 435 of the Laws of 1868, entitled 'An act to incorporate the village of Hamilton, in the county of Madison, and repeal its present charter,' and to repeal chapter 250 of the Laws of 1870, chapter 18 of the Laws of 1874, and chapter 142 of the Laws of 1875." [With amendments.]

Senate, G. O. 119, No. 43, "An act in regard to the powers of the associate rector of St. Luke's Memorial church, in the city of Utica, county of Oneida, and State of New York."

Said report was agreed to, and said bills ordered to a third reading.

Mr. Post moved that the consideration of the special order of the day be postponed until 12 o'clock, for the purpose of taking up the order of business of motions and resolutions.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Stein introduced a bill entitled "An act authorizing the erection

of a new capitol," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

The privileges of the floor were granted to the Hon. Mr. Sullivan.

Mr. Bissell offered for the consideration of the House a resolution, in the words following:

*Resolved*, That Senate bill No. 20, entitled "An act appropriating money to pay certificates heretofore drawn by the Canal Commissioners," as reported by the committee on canals, be printed as amended.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Backenstose introduced a bill entitled "An act to confirm the proceedings of the town meeting held in Geneva, authorizing the raising of money for road and bridge purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent,

Mr. Herrick introduced a bill entitled "An act further to amend chapter 77 of the Laws of 1870, entitled 'An act to amend the act to combine into one act the several acts relating to the city of Albany,' passed April 12, 1842, and the several acts amendatory thereof, so far as they relate to the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Marvin introduced a bill entitled "An act to amend chapter 567 of the Laws of 1871, entitled 'An act providing for the opening and improvement of new roads and avenues, and closing old highways in the town of Flatbush, in Kings county,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Suydam offered for the consideration of the House, a resolution, in the words following:

*Whereas*, The partition on the south side of the Assembly Chamber having been removed, it makes it necessary, for the convenience of the members, to have an additional doorkeeper for the door leading into the wrapping department of the Assembly; therefore, be it

*Resolved*, That Charles A. Pavie be, and he is hereby appointed as assistant doorkeeper of the present Assembly at the same compensation as those appointed by the Speaker, pay to begin from date of appointment.

*Ordered*, That said resolution be referred to the committee on expenditures of the House.

Mr. Gilbert called from the table a resolution previously offered by him, in the words following:

*Whereas*, The education of its citizens is conceded to be of vital importance to a State; and,

*Whereas*, It is found to be necessary for a State to make liberal provision for such education; and,

*Whereas*, In order to attain this end, the State of New York has wisely made provision for the special education of teachers, by establishing Normal and training schools; therefore,

*Resolved*, That the committee on public education be respectfully requested to consider and report to this House what, if any, legislation

s needed, in order to render such schools still more useful to the State; and to ascertain whether or not, in the practical operation of such schools, there has been any departure from their original purpose, and, if so, to recommend such legislation as they may deem necessary, in order to correct the same.

Mr. Gilbert moved that said resolution be made a special order for to-morrow morning, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Post offered for the consideration of the House a resolution, in the words following:

*Resolved*, That bill No. 255, entitled "An act in relation to the Superintendent of State Prisons, and for their more efficient and economical management," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

Mr. Post offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the use of this Chamber be granted to Col. A. B. Meacham to-morrow evening, for the purpose of delivering a lecture on Indian policy.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Post called from the table a resolution previously offered by him, in the words following:

*Resolved*, That 1,000 extra copies of the report of the Commission on the Government of Cities, be printed forthwith for the use of the Legislature.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Hepburn offered for the consideration of the House a resolution, in the words following:

*Resolved*, That Assembly bill No. 187, entitled "An act to amend section 3, article 2, title 6, chapter 6, part 1 of the Revised Statutes," be considered in the next committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Corbett offered for the consideration of the House a resolution, in the words following:

*Resolved*, That bill No. 150, entitled "An act to create a board of assessors in and for the city of Utica," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Herrick offered for the consideration of the House a resolution, in the words following:

*Resolved* (if the Senate concur), That there be printed and bound in cloth, under the direction of the State Engineer and Surveyor, the following number of copies of the report on railroads for the year ending September 30, 1876: For each Senator, Member, officer and reporter of the Senate and Assembly ten copies, and for the State Engineer and Surveyor 2,400 copies, the whole expense thereof to be refunded to the

treasury of the State by an equitable assessment by the Comptroller on the several railroad companies of this State.

Said resolution being concurrent,

*Ordered*, That the same be laid on the table.

Mr. Webb offered for the consideration of the House a resolution, in the words following:

*Resolved*, That Assembly bill No. 225, entitled "An act to release to the estate of Charles Doran, deceased, the right, title and interest of the people of the State of New York in and to certain real estate in the city of Poughkeepsie," be considered in the next committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Tabor offered for the consideration of the House a resolution, in the words following:

*Resolved*, That Assembly bill No. 218, entitled "An act to amend chapter 559 of the Laws of 1874, entitled 'An act to incorporate Niagara Grand Island Bridge Company,'" be committed to the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Fish offered for the consideration of the House a resolution, in the words following:

*Whereas*, The Knickerbocker Life Insurance Company and the Globe Mutual Life Insurance Company have not responded to the resolution of this House, passed January 24, directing them to report to the Assembly, within fifteen days, the amount of all money loaned on real estate, where such real estate is situated, when such loans were made, the amount of interest paid thereon from date of said loans, and the amount of interest defaulted thereon; also, what amount of counsel fees were paid to or received by the counsel of any such company upon such loan made; therefore,

*Resolved*, That the insurance committee of this House be requested to summon the president, vice-president and secretary of each of the aforesaid companies, and require a statement under oath as to each of the questions contained in the resolution.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Fish offered for the consideration of the House a resolution, in the words following:

*Resolved*, That Assembly bill No. 205, entitled "An act for the reduction of the salaries and compensation of certain officers and clerks in the cities of this State," be considered in the first committee of the whole not full.

Mr. Spinola moved to lay said resolution on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Marvin offered for the consideration of the House a resolution, in the words following:

*Resolved*, That bill No. 127, entitled "An act to amend the charter of the Arctic Fire Insurance Company of New York," be considered in the next committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative.

Mr. Fish offered for the consideration of the House a resolution, in the words following :

*Resolved*, That the comptroller of the city of New York be respectfully requested to report the amount which, by the books in his office, appears to have been received, in any and all of the suits brought for the recovery of moneys belonging to the city of New York, and commonly known as the "Ring suits," and the amount which has been paid or allowed for legal services or expenses in and about the same, specifying the names of the individuals to whom the same was allowed or paid.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Hodges called from the table a resolution previously offered by by Mr. Fish, in the words following :

*Resolved*, That no member of this House shall be permitted to speak more than five minutes at a time, without unanimous consent, in the committee of the whole.

Mr. Mitchell moved to lay said resolution on the table.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative.

Mr. Hodges offered the following as a substitute :

*Resolved*, That in all discussions during the remainder of this session in this House, and in committee of the whole, no member shall occupy in speaking, more than five minutes at one time, without permission of the House, or of the committee.

Mr. Fish accepted the substitute, and moved to amend by adding at the end thereof the words "except as to special orders."

Mr. Fish moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Fish, and it was determined in the affirmative.

{ AYES 58 }  
{ NOES 35 }

Those who voted in the affirmative, were

Berrigan	Gere	Mitchell	Shannon
Bissell	Gilbert	Moody	Skillman
Brick	Grady	Nachtmann	Spinola
Brill	Hammond	Neilson	Stein
J. H. Brown	Hayes	Noyes	Strahan
E. Case	Husted	Orr	Suydam
Childs	King	Piper	Tabor
Clapp	Lang	Post	Taylor
Corsa	Langner	W. L. Rockwell	Thistlethwaite
Cozans	Lyon	Rooney	Valentine
Ecclesine	Maher	Ruggles	Waddell
Fish	Marvin	Sager	Weiant
Flecke	McFalls	Santee	Wemple
Floyd-Jones	McGroarty	Shanley	Winch
Gallagher	McKee		

Those who voted in the negative, were

Alvord	Bulmer	Hepburn	Sheldon
Backenstose	Corbett	Hodges	Skinner
M. L. Baldwin	Coulter	Holahan	Sliter
Barnes	Cowdin	Langbein	Spicer
Billings	Davenport	Maynard	Stone
Billington	Dillmeier	Moore	Tighe
Bowen	J. S. Graham	Niven	Webb
Braman	Hamilton	Peck	Welsh
J. S. Brown	Healy	Potter	

Mr. Speaker then put the question whether the House would agree to said substitute, as amended, and it was determined in the affirmative.

{ AYES 55 }  
{ NOES 52 }

Those who voted in the affirmative, were

Alvord	Corsa	Lang	Santee
Backenstose	Coulter	Langner	Shannon
Baker	Dillmeier	Maher	Skillman
Barnes	Fay	Marvin	Skinner
Billings	Fish	McGroarty	Spicer
Billington	Flecke	McKee	Stone
Braman	Gere	Moody	Taylor
J. H. Brown	J. S. Graham	Moore	Thistlethwaite
J. S. Brown	Gulick	O'Hare	Valentine
E. Case	Hammond	Peck	Waddell
G. M. Case	Hodges	Post	Wickes
T. A. Case	Humphrey	Potter	Williams
Clark	Husted	Rice	Winch
Corbett	King	Ruggles	

Those who voted in the negative, were

Benedict	Floyd-Jones	Mitchell	Sheldon
Berrigan	Gallagher	Moller	Sliter
Bissell	Gilbert	Nachtmann	Spinola
Brick	Grady	Neilson	Stein
Brill	Hamilton	Niven	Stephenson
Bulmer	Hayes	Noyes	Strahan
Childs	Hepburn	Orr	Suydam
Clapp	Herrick	Piper	Tabor
Cowdin	Holahan	Purdy	Tighe
Cozans	Langbein	W. L. Rockwell	Webb
Davenport	Lyon	Rooney	Weiant
Dimond	Maynard	Sager	Welsh
Ecclesine	McFalls	Shanley	Wemple

Mr. Speaker announced the special order of the day, being the bill entitled "An act to secure better public administration within the city and county of New York."

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act to secure better public administration within the city and county of New York."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Lang, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Fish moved that said bill be made a special order for this evening, at 7½ o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Gallagher introduced a bill entitled "An act to amend titles 6 and 9 of an act entitled 'An act to revise the charter of the city of Buffalo,' passed April 28, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Maynard introduced a bill entitled "An act to abolish the office of railroad commissioner in the county of Delaware," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent,

Mr. Grady presented preamble and resolutions of the board of aldermen requesting repeal of all laws conferring on the commissioner of public works in the city of New York the power to order the construction of sewers; which were read and referred to the committee on affairs of cities.

On motion of Mr. Spinola, at 1 o'clock and 59 minutes, the House took a recess until 7½ o'clock.

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### HALF-PAST SEVEN O'CLOCK.

The House again met.

Mr. Speaker announced the special order of the day, being the bill entitled "An act to secure better public administration within the city and county of New York."

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act to secure better public administration within the city and county of New York."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Lang, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Fish moved that said bill be made a special order for to-morrow morning, immediately after the other special order.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

On motion of Mr. Husted, at 10 o'clock and 20 minutes, the House adjourned.

## WEDNESDAY, MARCH 14, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Mr. McMillan.

The journal of yesterday was read and approved.

On motion of Mr. Gallagher, and by unanimous consent, the committee on roads and bridges was discharged from the further consideration of the petition of Lucius Gleason and others relative to plank-roads, and the same was referred to the committee on general laws.

The privileges of the floor were granted to the Hon. Kneeland S. Townsend.

By unanimous consent,

Mr. Cozans introduced a bill entitled "An act in relation to the St. Joseph Institution for the Improved Instruction of Deaf Mutes at Fordham, in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

By unanimous consent,

Mr. Cozans introduced a bill entitled "An act to amend chapter 348 of the Laws of 1860, entitled 'An act to secure to creditors a just division of the estate of debtors who convey to assigns for the benefit of creditors,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Spicer introduced a bill entitled "An act to amend chapter 564 of the Laws of 1872, entitled 'An act to amend the charter of the village of Carthage, Jefferson county,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, a petition on the same subject, which was read and referred to the same committee.

By unanimous consent,

Mr. T. A. Case introduced a bill entitled "An act to amend chapter 24 of the Laws of 1870, entitled 'An act to amend an act entitled 'An act to amend the charter of the village of Dunkirk,' passed April 20, 1867,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

By unanimous consent,

Mr. Moody introduced a bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Deposit, situated partly in the town of Sandford, Broome county, and partly in the town of Tompkins, Delaware county, and to revise and compile the several acts relative to said village,' passed April 29, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, a petition on the same subject, which was read and referred to the same committee.



By unanimous consent,

Mr. Alvord introduced a bill entitled "An act in relation to the indictment and punishment of criminal offenses committed on railroads within the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Webb introduced a bill entitled "An act to amend an act entitled 'An act concerning the pilots of the channel of the East river, commonly called Hell Gate, passed April 15, 1847, and the various acts amendatory thereto,' passed March 12, 1860, March 14, 1865, May 17, 1867, April 16, 1868, and April 5, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Also, a petition on the same subject, which was read and referred to the same committee.

By unanimous consent,

Mr. Marvin introduced a bill entitled "An act to regulate the forfeiture of policies of life insurance," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

By unanimous consent,

Mr. Brick introduced a bill entitled "An act to authorize the town of Northfield, in the county of Richmond, to raise money to macadamize two public roads in said town, and to provide for the macadamizing thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent,

Mr. Braman introduced a bill entitled "An act to amend chapter 139 of the Laws of 1870, entitled 'An act to annex parts of the towns of Bethlehem and Watervliet, in the county of Albany to the city of Albany, and to exempt such parts thereof from certain taxes, and to annex a part of the city of Albany to the town of Watervliet,' passed April 6, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on civil divisions.

By unanimous consent,

Mr. Langner introduced a bill entitled "An act to amend section 9 of title 2 of the revised charter of the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Taylor introduced a bill entitled "An act requiring the superintendents of the poor of the county of Greene to convey to the board of supervisors of said county the lands and appurtenances known as the poor-house farm, situate in the town of Bethany, in said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent,

Mr. Taylor introduced a bill entitled "An act to legalize and confirm the title of Edwin Carr and Maurice Nolan to certain lands situate in Bethany, Greene county, New York, which were heretofore conveyed to

them by the superintendents of the poor of said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Corsa introduced a bill entitled "An act to amend an act for a uniform system for the repavement of streets, avenues and public places in the city of New York, passed May 28, 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Healy introduced a bill entitled "An act in relation to assessments and other bonds of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The privileges of the floor were granted to the Hon. B. D. Sleight.

Mr. Ruggles presented a petition of citizens of Avoca, Steuben county, for reduction of salary of the county judge of said county; which was read and referred to the committee on the judiciary.

Mr. Spicer presented two petitions of citizens of Jefferson county in regard to fishing in the waters of Lake Ontario and bays in said county; which were read and referred to the committee on game laws.

Also, a petition of citizens of Watertown for an additional ward in said city; which was read and referred to the committee on affairs of cities.

Also, a petition of tax-payers and voters of the second district of Jefferson county for a constitutional amendment and legislative enactment for general reduction of the salaries of State officials; which was read and referred to the committee on the judiciary.

The Senate returned the bill entitled as follows:

"An act to authorize the extension of the time for the collection of taxes in the several towns of this State."

*Ordered*, That the Clerk deliver said bill to the Governor.

The Senate returned the bill entitled "An act in relation to the office of Superintendent of Public Works, defining the powers of the superintendent and prescribing the mode of disbursements on account of the canals," with a message informing that they had acceded to the request for a committee of conference on the above entitled bill, and appointed as such committee Messrs. Cole, Sprague and Schoonmaker.

The Senate returned the bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the city of Elmira,' passed May 17, 1875," with a message informing that they had reconsidered the vote upon the final passage of the same, and passed the bill as amended.

*Ordered*, That the Clerk deliver said bill to the Governor.

Mr. Speaker announced the special order of the day, being the resolution in the words following:

*Whereas*, The education of its citizens is conceded to be of vital importance to a State; and,

*Whereas*, It is found to be necessary for a State to make liberal provision for such education; and,

*Whereas*, In order to attain this end, the State of New York has wisely made provision for the special education of teachers, by establishing Normal and training schools; therefore,

*Resolved*, That the committee on public education be respectfully requested to consider and report to this House what, if any, legislation is needed, in order to render such schools still more useful to the State; and to ascertain whether or not, in the practical operation of such schools, there has been any departure from their original purpose, and, if so, to recommend such legislation as they may deem necessary, in order to correct the same.

(Mr. Husted in the chair.)

Mr. Gilbert rose to a question of privilege and stated that the gentleman, Mr. Spinola, had asserted that gentlemen had made speeches prepared for them. He demanded an immediate retraction of that libel or the severest punishment that could be inflicted under the rules upon the person who uttered it.

The chair decided that the question raised was correctly a question of privilege, and asked what was the pleasure of the House.

The report of the words spoken by Mr. Spinola, as taken down by the stenographer, was then read by the Clerk as follows:

"I am not surprised, when I look over the field and learn the fact that three gentlemen came here to-day, selected from the majority upon the floor of this House, loaded to the very muzzle with three set speeches prepared for them outside of the railings of this House, placed in their hands by a committee of a caucus, prepared with great care, and those gentlemen selected to read them for the information of this House."

The chair asked the pleasure of the House.

Mr. Alvord moved that Mr. Spinola retract the objectionable words, but in case of refusal to do so that he be placed under custody of the sergeant-at-arms, to be dealt with as the House may direct.

Mr. O'Hare moved to lay the whole subject on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 47 }  
{ NOES 61 }

Those who voted in the affirmative, were

Benedict	Dillmeier	McGroarty	Ruggles
Berrigan	Dimond	Moller	Sager
Bissell	Ecclesine	Nachtmann	Sanders
Bradley	Flecke	Neilson	Shanley
Brick	Galvin	Niven	Sliter
Brill	Hamilton	O'Hare	Stein
Bulmer	Herrick	Piper	Stone
Burns	Holahan	Proper	Tabor
Childs	Humphrey	Purdy	Tighe
Cozans	Langner	Rice	Weiant
Crowley	Lyon	H. H. Rockwell	Wemple
Davenport	Maynard	W. L. Rockwell	

Those who voted in the negative, were

Alvord	Fish	McFalls	Skinner
Backenstose	Gallagher	McGraw	Smith
Baker	Gere	McKee	Speaker
M. L. Baldwin	Gilbert	Mitchell	Spicer
Billings	J. S. Graham	Moore	Stephenson

Billington	Hammond	Morey	Strahan
Bowen	Hayes	Noyes	Suydam
Braman	Herbst	Orr	Taylor
J. S. Brown	Hodges	Peck	Thistlethwaite
E. Case	Husted	Post	Valentine
T. A. Case	Keator	Potter	Webb
Clapp	King	Santee	Welsh
Clark	Lang	Shannon	Wickes
Corbett	Langbein	Sheldon	Williams
Corsa	Marvin	Skillman	Winch
Cowdin			

When the name of Mr. O'Hare was called he asked to be, and was not excused from voting.

The hour of 2 o'clock having arrived, the House adjourned.

## THURSDAY, MARCH 15, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Bridgman.

The journal of yesterday was read and approved.

(Mr. Husted in the chair).

The question being on the approval of the journal of yesterday,

Mr. Spinola objected to that portion of it as stated the language said to have been used by him, if that approval was to commit him in any manner to the language stated.

Mr. Speaker stated that he was informed by the Clerk that that portion of the journal was taken from the notes of the Stenographer.

Mr. Mitchell moved to amend the journal of yesterday, in the words following:

"*Resolved*, That the language alleged to have been used yesterday by the gentleman from the Sixteenth, be expunged from the journal, and that the journal be so amended."

Mr. Ecclesine moved to amend the journal of yesterday in the words following:

After the word "report," insert the words "of what purported to be." So it will read: "The report of what purported to be the words spoken by Mr. Spinola, as taken down by the Stenographer, was then read by the Clerk, as follows:"

Mr. Graham moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

{ AYES 66 }  
{ NOES 58 }

Those who voted in the affirmative, were

Alvord	Corsa	Lang	Shannon
Backenstose	Cowdin	Langbein	Sheldon
Baker	Fay	Marvin	Skillman
M. L. Baldwin	Filkin	McFalls	Skinner

Barnes	Fish	McGraw	Smith
Benedict	Gallagher	McKee	Speaker
Billings	Gere	Moody	Spicer
Billington	Gilbert	Moore	Stephenson
Bowen	J. S. Graham	Morey	Suydam
Braman	Gulick	Noyes	Thistlethwaite
J. S. Brown	Hammond	Orr	Valentine
E. Case	Hayes	Peck	Waddell
G. M. Case	Hepburn	Post	Welsh
T. A. Case	Herbst	Potter	Wickes
Clapp	Hodges	H. H. Rockwell	Williams
Clark	Keator	Santee	Winch
Corbett	King		

Those who voted in the negative, were

Berrigan	Ecclesine	Maynard	Ruggles
Bissell	Flecke	McGroarty	Sager
Bradley	Floyd-Jones	Mitchell	Sanders
Brill	Galvin	Moller	Shanley
J. H. Brown	Grady	Nachtmann	Sliter
Bulmer	Hamilton	Neilson	Stein
Burns	Healy	Niven	Stone
Childs	Herrick	O'Hare	Strahan
Coulter	Holahan	Piper	Tabor
Cozans	Humphrey	Proper	Taylor
Crowley	Langner	Purdy	Tighe
Davenport	Longyear	Rice	Webb
Dillmeier	Lyon	W. L. Rockwell	Weiant
Dimond	Maher	Rooney	Wemple

By unanimous consent,

Mr. Mitchell accepted the amendment of Mr. Ecclesine as a substitute for his motion.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Ecclesine, and it was determined in the negative.

{ AYES 53 }  
{ NAYS 70 }

Those who voted in the affirmative, were

Benedict	Dimond	Lyon	Rooney
Berrigan	Ecclesine	Maher	Ruggles
Bissell	Flecke	McGroarty	Sager
Bradley	Floyd-Jones	Mitchell	Sanders
Brill	Galvin	Nachtmann	Shanley
J. H. Brown	Grady	Neilson	Sliter
Bulmer	Hamilton	Niven	Stein
Burns	Healy	O'Hare	Stone
Childs	Herrick	Piper	Suydam
Coulter	Holahan	Proper	Tabor
Cozans	Humphrey	Purdy	Tighe
Crowley	Langner	H. H. Rockwell	Weiant
Davenport	Longyear	W. L. Rockwell	Wemple
Dillmeier			

Those who voted in the negative, were

Alvord	Fay	Langbein	Sheldon
Backenstose	Filkin	Marvin	Skillman
Baker	Fish	Maynard	Skinner
M. L. Baldwin	Gallagher	McFalls	Smith
Barnes	Gere	McGraw	Speaker
Billings	Gilbert	McKee	Spicer
Billington	J. G. Graham	Moller	Stephenson
Bowen	J. S. Graham	Moody	Strahan
Braman	Gulick	Moore	Taylor
J. S. Brown	Hammond	Morey	Thistlethwaite
E. Case	Hayes	Noyes	Valentine
G. M. Case	Hepburn	Orr	Waddell
T. A. Case	Herbst	Peck	Webb
Clapp	Hodges	Post	Welsh
Clark	Husted	Potter	Wickes
Corbett	Keator	Santee	Williams
Corsa	King	Shannon	Winch
Cowdin	Lang		

Mr. Speaker then put the question whether the House would approve of the journal as read, and it was determined in the affirmative.

Mr. Speaker stated the pending question to be upon the motion of Mr. Alvord, in the words following:

"That Mr. Spinola retract the objectionable words, but in case of refusal to do so, that he be placed under custody of the Sergeant-at-Arms, to be dealt with as the House may direct."

Mr. Alvord moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

{ AYES 65 }  
{ NOES 54 }

Those who voted in the affirmative, were

Alvord	Cowdin	Lang	Skillman
Backenstose	Fay	Langbein	Skinner
Baker	Filkin	Marvin	Smith
M. L. Baldwin	Fish	McFalls	Speaker
Barnes	Gallagher	McGraw	Spicer
Billings	Gere	McKee	Stephenson
Billington	Gilbert	Moody	Strahan
Bowen	J. G. Graham	Moore	Suydam
Braman	Hammond	Morey	Taylor
J. S. Brown	Hayes	Noyes	Thistlethwaite
E. Case	Hepburn	Peck	Valentine
G. M. Case	Herbst	Post	Waddell
T. A. Case	Hodges	Potter	Webb
Clapp	Husted	Santee	Wickes
Clark	Keator	Shannon	Williams
Corbett	King	Sheldon	Winch
Corsa			

## Those who voted in the negative, were

Benedict	Dillmeier	Lyon	H. H. Rockwell
Berrigan	Dimond	Maher	W. L. Rockwell
Bissell	Ecclesine	Maynard	Rooney
Bradley	Flecke	McGroarty	Ruggles
Brick	Floyd-Jones	Mitchell	Sager
Brill	Galvin	Nachtmann	Sanders
J. H. Brown	Grady	Neilson	Shanley
Bulmer	Hamilton	Niven	Stein
Burns	Healy	O'Hare	Stone
Childs	Herrick	Piper	Tabor
Coulter	Holahan	Proper	Tighe
Oozans	Humphrey	Purdy	Weiant
Crowley	Langner	Rice	Wemple
Davenport	Longyear		

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Alvord, and it was determined in the negative.

} AYES 17 }  
 } NOES 100 }

## Those who voted in the affirmative, were

Barnes	Hepburn	Morey	Skinner
Clark	Keator	Potter	Stephenson
Gere	McGraw	Santee	Tighe
J. S. Graham	Moore	Skillman	Valentine
Hayes			

## Those who voted in the negative, were

Alvord	Cozans	Lang	Rice
Backenstose	Davenport	Langbein	H. H. Rockwell
Baker	Dillmeier	Langner	W. L. Rockwell
M. L. Baldwin	Dimond	Longyear	Rooney
Benedict	Ecclesine	Lyon	Ruggles
Berrigan	Fay	Maher	Sager
Billings	Fish	Marvin	Sanders
Bissell	Flecke	Maynard	Shanley
Bowen	Floyd-Jones	McFalls	Shannon
Bradley	Gallagher	McGroarty	Sheldon
Braman	Galvin	McKee	Sliter
Brick	Gilbert	Mitchell	Speaker
Brill	Grady	Moller	Spicer
J. H. Brown	J. G. Graham	Moody	Stein
Bulmer	Gulick	Nachtmann	Stone
Burns	Hamilton	Neilson	Strahan
E. Case	Hammond	Niven	Suydam
T. A. Case	Healy	Noyes	Tabor
G. M. Case	Herrick	O'Hare	Waddell
Childs	Herbst	Orr	Webb
Clapp	Hodges	Peck	Weiant
Corbett	Holahan	Piper	Wemple
Corsa	Humphrey	Post	Wickes
Coulter	Husted	Proper	Williams
Cowdin	King	Purdy	Winch

Mr. Alvord stated that Mr. Spinola having made a full retraction, he moved that all further proceedings be at an end.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act relative to evidence," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the appointment and provide for the compensation of a stenographer of the special terms of the Supreme Court held in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate the New York State Bar Association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act further to amend chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act in relation to the imprisonment of convicts in the New York State Reformatory at Elmira, and the government and release of such convicts by the managers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

"An act to authorize the town of Wilna, in the county of Jefferson, to re-issue bonds to redeem and pay the bonds issued by said town in aid of the Utica and Black River Railroad Company, by virtue of chapter 624 of the Laws of 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the police department or board of police of any city to appoint policemen of district telegraph companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act in relation to the estimates and apportionment for the board of education of the city of New York, and to amend chapter 308 of the Laws of 1874, entitled 'An act relative to the estimates and apportionment for the support of the government of the city of New York,' which was read the first time, and by unanimous consent, was also read the second time, and referred to the committee on affairs of cities.

"An act to increase the number of firemen in the village of Canandaigua," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to confirm the official acts of William J. Merritt as notary public of Kings county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 683 of the Laws of 1871, entitled 'An act amending, revising and consolidating the several acts in relation to the village of Greenbush,' passed March 22, 1854, and April 29, 1863,"



which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act in relation to the recorders' court of the city of Utica," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to release to Edward Kennedy and others, the right, title and interest of the people of the State of New York to certain real estate in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

"An act to legalize the proceedings of the annual town meeting of the town of Westchester, in the county of Westchester, in relation to the purchase of fire apparatus, and to provide for carrying the same into effect," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the Utica and Black River Railroad Company to charge and collect a uniform rate of fare, for passengers, on the roads operated by said company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act further to amend chapter 117 of the Laws of 1843, entitled 'An act to incorporate the American Baptist Home Mission Society,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to amend section 4 of chapter 529 of the Laws of 1871, entitled 'An act to incorporate the superintendents of the fair grounds of the town of Oswegatchie,' passed April 15, 1871, as amended by chapter 137 of the Laws of 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

"An act in relation to the franchises and powers of the village of Athens," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to amend chapter 341 of the Laws of 1872, entitled 'An act in reference to the Young Men's Association for mutual improvement in the city of Albany,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to restrain brokers and individual bankers from imposing upon the public, and to protect the public from unauthorized banking," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to provide for the determination and payment of claims for goods, merchandise and material furnished, and labor performed, in fitting up and furnishing armories and drill rooms in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

On motion of Mr. H. H. Rockwell, and by unanimous consent, the time of the session was extended so as to admit of reports of committees and introduction of bills.

Mr. Husted moved that the bill entitled "An act making appropria-

tion for support of government and supplying deficiencies in former appropriations," be made a special order for this evening, at 7½ o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Strahan moved to substitute Senate bill entitled "An act to authorize the police department or board of police of any city to appoint policemen of district telegraph companies," for Assembly bill on same subject, now in the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Herrick introduced a bill entitled "An act to amend chapter 77 of the Laws of 1870, section 4 of chapter 536 of Laws of 1871, and section 6 of Laws of 1872, passed respectively April 15, 1871, and April 22, 1872, entitled 'An act to amend the act to combine into one act the several acts relating to the city of Albany, passed April 12, 1842, and the several acts amendatory thereof, in so far as they relate to the city of Albany,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Bowen introduced a bill entitled "An act supplementary to chapter 294 of the Laws of 1831, entitled 'An act incorporating the village of Plattsburgh, and the several acts amendatory thereof,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Proper introduced a bill entitled "An act to regulate the tariff on certain railroads in the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Maynard introduced a bill entitled "An act to incorporate the West Davenport cemetery," accompanied by a petition, which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Gallagher introduced a bill entitled "An act relating to fares for carrying passengers on the street railroads in the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Also, a bill entitled "An act to amend an act to revise the charter of the city of Buffalo," passed April 20, 1870, which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to authorize the mayor and common council of the city of Brooklyn to make an appropriation to reimburse claimants for advances made to construct building for Taylor Hose Company No. 1, of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Gilbert introduced a bill entitled "An act to create a board of railroad and telegraph commissioners, and to regulate their powers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Stephenson introduced a bill entitled "An act to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof,' passed June

28, 1873, and to further amend the charter of the city of Brooklyn as amended by an act for that purpose passed June 1, 1874, and as further amended by an act for that purpose, entitled 'An act to amend the charter of the city of Brooklyn, being the act for that purpose passed June 28, 1873, and the act for that purpose passed June 1, 1874, passed June 21, 1875, and the act for that purpose passed May 15, 1876,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to further provide for an acting mayor in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. McGroarty introduced a bill entitled "An act to confirm, reduce and levy certain assessments on the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to amend an act entitled 'An act to amend chapter 140 of the Laws of 1850, entitled An act to authorize the formation of railroad corporations, and to regulate the same,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Lyon introduced a bill entitled "An act to amend an act entitled 'An act to regulate elections in the city of Brooklyn,' passed May 7, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Marvin introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the Long Island Loan and Trust Company,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Also, a bill entitled "An act to amend chapter 633 of the Laws of 1875, entitled 'An act to amend the charter of the city of Brooklyn, being the act for that purpose, passed June 28, 1873, and the act for that purpose, passed June 1, 1874, passed June 21, 1875,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. W. L. Rockwell introduced a bill entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, a bill entitled "An act to further amend chapter 154 of the Laws of 1859, entitled 'An act to incorporate the trustees of Clarkson High School, and to provide for the management and support of such schools,' passed April 6, 1859," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Mitchell introduced a bill entitled "An act to amend the laws relative to issuing attachments for justices of the peace and justices of other inferior courts not of record," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a petition on the same subject; which was read and referred to the same committee.

Mr. Flecke introduced a bill entitled "An act to regulate the manu-

facture of malt beverages," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Mr. Strahan introduced a bill entitled "An act directing the advertisement of sales of land in actions of foreclosure and sale in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to amend an act entitled 'An act to regulate proceedings against corporations by injunction, and otherwise,' passed April 7, 1870, being chapter 151 of the Laws of 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to authorize the commissioner of public works in the city of New York to contract for street pavements in the said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to provide for paying for services and materials furnished in caring for and burying certain members of the National Guard killed and wounded in the public service," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Cozans introduced a bill entitled "An act in relation to the single rail system for the application of steam for propelling or towing on the canals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Holahan introduced a bill entitled "An act regulating the sale of leaf tobacco in the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Piper introduced a bill entitled "An act to amend section 9 of chapter 86 of the Laws of 1855, entitled 'An act to amend an act to provide for the incorporation of villages,' passed December 7, 1847, so far as relates to the village of Niagara City, in the county of Niagara," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Corbett introduced a bill entitled "An act to amend chapter 371 of the Laws of 1876, entitled 'An act to amend chapter 18 of the Laws of 1862, entitled An act to revise the charter of the city of Utica,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to further amend chapter 37 of the Laws of 1842, entitled 'An act in relation to common schools in the city of Utica, and chapter 66 of the Laws of 1850, entitled An act in relation to common schools in the city of Utica,'" accompanied by a petition, which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Alvord introduced a bill entitled "An act relative to the bonded indebtedness of cities, villages, towns and counties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Winch introduced a bill entitled "An act to amend chapter 381 of the Laws of 1873, entitled 'An act for the preservation of fish in

waters lying within or bordering upon the counties of Schuyler, Steuben, Chemung, Seneca, Yates and Ontario," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. J. G. Graham introduced a bill entitled "An act to provide for the payment of bonds heretofore issued by the village of Middletown, in the county of Orange," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, a bill entitled "An act to authorize the village of Middletown to issue bonds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, a bill entitled "An act to provide for the full discharge from their debts, of all persons making a complete assignment of all their property to assignees, for the benefit of their creditors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Benedict introduced a bill entitled "An act to amend chapter 385 of the Laws of 1867, entitled 'An act to incorporate the village of Warwick, as amended by chapter 481 of the Laws of 1872,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, a petition on the same subject; which was read and referred to the same committee.

Mr. Langbein introduced a bill entitled "An act supplemental to chapter 335 of the laws of 1873, entitled 'An act to reorganize the local government of the city of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act relating to the payment of assessments for local improvements in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Floyd-Jones introduced a bill entitled "An act for the mortgaging and sale of lands belonging to the estate of Jesse Browne, deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Burns introduced a bill entitled "An act to provide for the laying out of a public park or place in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Brick introduced a bill entitled "An act creating the office of Richmond County Fire Marshal, and prescribing his powers and duties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Lang introduced a bill entitled "An act to reduce the number of commissioners to revise the statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to amend section 1496 of chapter 448 of the Laws of 1876, relative to the Code of Remedial Justice," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act in relation to the improvement of the Racket river and of the hydraulic power thereon, and to check freshets therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Noyes introduced a bill entitled "An act for the relief of Mrs. John Saulsbury," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Also, a bill entitled "An act for the relief of Michael Gannon and Lawrence Gannon," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Brill introduced a bill entitled "An act for the protection of fish and to regulate the setting of nets and the taking of fish in the waters of the Great South bay, in the county of Suffolk," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Also, a bill entitled "An act to empower the board of supervisors of Suffolk county to appoint three commissioners to locate an inlet from the Atlantic ocean to the Shinnecock bay, in said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Also, a petition on the same subject; which was read and referred to the same committee.

Mr. Valentine introduced a bill entitled "An act to amend section 103 of article 5, of title 1 of chapter 16 of part 1 of the Revised Statutes, relative to highways and bridges," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Tighe introduced a bill entitled "An act to confirm the franchises of railroad companies in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Potter introduced a bill entitled "An act to provide for the building of a free bridge over the Hudson river, between the towns of Fort Edward, in the county of Washington, and Northumberland, in the county of Saratoga, at the head of the falls in said river, at Fort Miller, and making the maintenance thereof a charge on said town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Keator introduced a bill entitled "An act to authorize the election of one overseer of the poor, one commissioner of highways, and one assessor in the town of Kingston, Ulster county, and to fix their salaries, and the salary of the town clerk of said town, and to limit the amount to be raised annually for the support of the poor in said town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. S. Baldwin introduced a bill entitled "An act in relation to the collection of taxes in Yates county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Keator introduced a bill entitled "An act to amend section 4, article 1, title 2, chapter 13, part 1 of the Revised Statutes of the State

of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Tabor presented a remonstrance of citizens of Buffalo against increase of fare on street railroads in said city; which was read and referred to the committee on railroads.

Mr. Bowen presented a petition of tax-payers of Plattsburgh in relation to collection of taxes in said town; which was read and referred to the committee on internal affairs.

Mr. Wickes presented a petition of thirteen lawyers of Tompkins county for repeal of Code of Remedial Justice; which was read and referred to the committee on the judiciary.

Mr. Maher presented a petition for a swing bridge over lock No. 1 at the foot of Water street, Albany; which was read and referred to the committee on canals.

Also, a petition for a swing bridge at the foot of Lawrence street, Albany; which was read and referred to the committee on canals.

Mr. Gulick presented a petition of citizens of Schuylcr county in relation to assessments and taxation; which was read and referred to the committee on ways and means.

Mr. Winch presented a petition of citizens of Ontario county for the repeal of all laws prohibiting the taking of fish in Honeoye lake; which was read and referred to the committee on game laws.

Mr. Morey, from the committee on privileges and elections, submitted the following report:

*To the Assembly:*

The committee on privileges and elections, in pursuance of the following:

*Whereas*, It has been asserted by a member of this House that he, the said member, has been approached by parties interested in certain proposed legislation, with the offer of money, intended to influence his action in reference thereto; therefore,

*Resolved*, The committee on privileges and elections be directed to examine into the facts in the case, and report to this House within ten days, and that they be empowered to send for persons and papers.

Respectfully report that the committee met on the 9th day of March, 1877, when Mr. Bulmer, the member referred to in the resolutions, appeared before them and made his statement, which, in the judgment of the committee, contained nothing that would justify them in continuing the investigation.

J. B. MOREY.  
D. B. BACKENSTOSE.  
JAMES HUSTED.  
LUKE F. COZANS.  
W. L. ROCKWELL.

Mr. Welsh, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend chapter 820 of the Laws of 1873, entitled 'An act to amend an act entitled An act to suppress intemperance and to regulate the sale of intoxicating liquors,' passed April 16, 1857."

"An act to amend chapter 555, Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,' passed May 2, 1864."

"An act to amend chapter 435 of the Laws of 1868, entitled 'An act

to incorporate the village of Hamilton, in the county of Madison, and repeal its present charter,' and to repeal chapter 250 of the Laws of 1870, chapter 18 of the Laws of 1874, and chapter 142 of the Laws of 1875."

Mr. J. S. Graham presented the report of the sub-committee of the whole; which was laid on the table and ordered printed.

(See Doc. No. 76.)

Mr. Bowen, from the committee on internal affairs, to which was referred the bill introduced by Mr. McKee, Int. No. 385, entitled "An act to repeal certain provisions of chapter 4 of the Laws of 1862, entitled 'An act to secure the better application of funds to relieve the poor in the town of Little Falls, Herkimer county,'" reported in favor of the passage of the same, with amendments, and the title amended; which report was agreed to, and said bill committed to the committee of the whole.

Mr. Bowen, from the committee on internal affairs, to which was referred the bill introduced by Mr. Braman, Int. No. 622, entitled "An act to provide better facilities for the election of town officers, in the town of Watervliet, Albany county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Bowen, from the committee on internal affairs, to which was referred the bill introduced by Mr. Sanders, Int. No. 614, entitled "An act in relation to the keeping open of the office of the county clerk of the county of Schenectady," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Bowen, from the committee on internal affairs, to which was referred the bill introduced by Mr. Williams, Int. No. 594, entitled "An act to amend chapter 410 of the Laws of 1874, entitled 'An act to authorize towns and villages to provide a sinking fund for the payment of their bonded indebtedness,' so far as the same relates to the county of Chautauqua," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Shanley, Int. No. 547, entitled "An act to repeal chapter 614 of the Laws of 1874, entitled 'An act to amend an act entitled An act to confer additional powers upon the Metropolitan police relating to the inspection of steam boilers,'" etc., reported adversely thereto, which report was agreed to.

Mr. Bowen, from the committee on internal affairs, to which was referred the Senate bill entitled "An act to authorize the building of an addition to the county jail at White Plains, in the county of Westchester, and the enlargement and improvement thereof, and to provide for the issuing of bonds for the purpose of paying the expenses thereof," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. J. S. Graham, Int. No. 663, entitled "An act to amend chapter 716 of the Laws of 1855, entitled 'An act to prevent the furtive possession and use of slung-shots and other dangerous weapons,'" reported adversely thereto, which report was agreed to.

Mr. Strahan, from the committee on the judiciary, to which was



referred the bill introduced by Mr. Tighe, Int. No. 279, entitled "An act requiring agreements for brokerage or commissions on the sale or exchange of, or procuring the loan of money on real estate, etc., to be in writing," reported adversely thereto, which report was agreed to.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Hogeboom, Int. No. 402, entitled "An act for the relief of George W. Phelps," etc., reported adversely thereto, which report was agreed to.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. O'Hare, Int. No. 58, entitled "An act to amend chapter 836, Laws of 1872, entitled 'An act to regulate places of public amusement in the city of New York,'" reported adversely thereto.

On motion of Mr. O'Hare, said report was laid on the table.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Alvord, Int. No. 402, entitled "An act in relation to the foreclosure of mortgages," reported adversely thereto, which report was agreed to.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Childs, Int. No. , entitled "An act in relation to county treasurers," reported adversely thereto, which report was agreed to.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Herrick, Int. No. , entitled "An act to provide for the election of a supervisor at large in Albany county," etc., reported adversely thereto, which report was agreed to.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Hammond, Int. No. 259, entitled "An act to enable the electors of the town of Wappingers, Dutchess county, to vote by districts for town officers," reported adversely thereto, which report was agreed to.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Flecke, Int. No. 462, entitled "An act to prevent deception in the sale of butter," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Childs, Int. No. 234, entitled "An act to amend chapter 446, Laws of 1874, entitled 'An act to revise and consolidate the statutes of the State relating to the care and custody of the insane,'" etc., reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Welsh, Int. No. 634, entitled "An act for the more efficient protection of judgment creditors," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan offered for the consideration of the House a resolution, in the words following:

*Resolved*, That Senate bill No. 78, entitled "An act to further amend chapter 167 of the Laws of 1860, entitled 'An act in relation to preferred causes in the Supreme Court and Court of Appeals,'" be recommended to the committee on the judiciary, for amendment, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Strahan, from the committee on the judiciary, to which was referred the Senate bill entitled "An act in relation to county treasurers," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Fish, Int. No. 870, entitled "An act to define the powers of mayors in certain cities of this State," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

(Messrs. McGroarty and Tabor dissented.)

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. O'Hare, Int. No. 561, entitled "An act to provide for the aid and support of the poor in the county of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Corsa, Int. No. 646, entitled "An act relating to the police department and police force of the city of New York," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Fish, Int. No. 270, entitled "An act to except Lake Mahopac, in the county of Putnam, from the provisions of chapter 56, Laws of 1871, entitled 'An act to provide a further supply of pure and wholesome water for the city of New York,' passed February 27, 1871, and acts amendatory thereof," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Stephenson, Int. No. 657, entitled "An act to amend an act to amend the charter of the city of Brooklyn, and the various amendments thereof, passed June 28, 1873, and to further amend the charter of the city of Brooklyn, as amended by an act passed June 1, 1874, and as further amended by an act for that purpose entitled 'An act to amend the charter of the city of Brooklyn, being the act for that purpose passed June 28, 1873, and the act for that purpose passed June 1, 1874, as passed June 21, 1875,' and as further amended by an act for that purpose, entitled 'An act to amend section 23, title 2 of the amended charter of the city of Brooklyn,' passed June 28, 1873, passed May 15, 1876," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Stephenson, Int. No. 655, entitled "An act relating to the government of the county of Kings," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Suydam, Int. No. 516, entitled "An act to authorize the board of education of the city of Brooklyn to establish a

house or school of reform for truant children, and to transfer the truant home of the city of Brooklyn to the care and custody of the said board of education," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

(Messrs. Mitchell, McGroarty and Tabor dissented.)

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. J. S. Graham, Int. No. 486, entitled "An act to authorize the city of Rochester to acquire the title to land or other property for the use of water-works," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Dillmeier, Int. No. 560, entitled "An act to confer the power of harbor master on the police patrolmen detailed to certain docks and piers in said city, by the board of commissioners of police and excise of the city of Brooklyn," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. McGroarty, Int. No. 693, entitled "An act to enable the city of Brooklyn to acquire certain lands lying in Atlantic avenue, decided to be the property of the heirs of John Cowenhoven," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. McGroarty, Int. No. 575, entitled "An act in relation to certain assessments for sewers in the city of Brooklyn," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Purdy, Int. No. 550, entitled "An act in relation to street improvements in the Twenty-third and Twenty-fourth wards, in the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Mitchell, Int. No. 650, entitled "An act to create a department to be known as the department of street cleaning, of the city of New York, and to provide for the more thorough and efficient cleaning of the streets of said city, reported the same for the consideration of the House.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Ecclesine, Int. No. 213, entitled "An act for the relief of William McDonald for rendering services and for supplying materials for the making of certain roads in the city of New York," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Gallagher, Int. No. 624, entitled "An act to amend the charter of the city of Buffalo," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was recom-

mitted the bill introduced by Mr. Sloan, Int. No. 196, entitled "An act to amend and make additions to chapter 463 of the Laws of 1860, entitled 'An act to revise the charter of the city of Oswego, and the acts amendatory thereof,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Sloan, and by unanimous consent, said bill was ordered to a third reading.

Mr. Fish, from the committee on affairs of cities, to which was referred the concurrent resolution introduced by Mr. Spinola, proposing an amendment to section 9 of article 8 of the Constitution, relative to limiting bonded indebtedness of the city of New York, reported the same for the consideration of the House.

Mr. Webb, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. McGroarty, Int. No. 659, entitled "An act for the improvement of certain lands for the benefit of the commercial and agricultural interests of the town of New Utrecht, in Kings county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Purdy introduced a bill entitled "An act to amend chapter 515 of the Laws of 1874, entitled 'An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873, passed May 21, 1874,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Also, a bill entitled "An act to amend an act entitled 'An act to amend and reduce to one act the several acts relating to buildings in the city of New York,' passed April 20, 1871, and amended May 22, 1874,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Hayes introduced a bill entitled "An act to create a New Capitol Commission," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Webb, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Cowdin, Int. No. 613, entitled "An act establishing and regulating quarantine and defining the qualifications and duties and powers of the health officer of the harbor and port of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Webb offered for the consideration of the House a resolution, in the words following:

*Resolved*, That Assembly bill No. 194, entitled "An act to amend chapter 69 of the Laws of 1847, entitled 'An act concerning the pilots of the channel of the East river, commonly called Hell Gate,' passed April 15, 1847, and the various acts amendatory thereof, passed March 12, 1860, March 14, 1865, April 16, 1868, and April 5, 1871," be recommitted to the committee on commerce and navigation for amendment, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

“Mr. Gilbert, from the committee on railroads, to which was referred the bill introduced by Mr. Moore, Int. No. 465, entitled “An act to repeal chapter 117, of the Laws of 1856, entitled ‘An act to authorize the Black River and Utica Railroad Company to increase their rate of fare for the transportation of passengers,’ passed April 7, 1856,” reported adversely thereto.

On motion of Mr. Moore said report was laid on the table.

Mr. Gilbert, from the committee on railroads, to which was referred the bill introduced by Mr. Keator, Int. No. 616, entitled “An act in relation to the office of railroad commissioners in Ulster county,” reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Baker, from the committee on canals, to which was referred the bill introduced by Mr. Bissell, Int. No. 375, entitled “An act to provide for the introduction of the Stevenson traction system of towage on the Erie canal,” reported the same for the consideration of the House

Mr. Baker, from the committee on canals, to which was referred the bill introduced by Mr. Alvord, Int. No. 466, entitled “An act to amend part 1, title 5, chapter 5, section 7 of the Revised Statutes, in relation to the appointment of collectors of canal tolls,” reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Brill, Int. No. 717, entitled “An act to authorize the village of Sag Harbor, Suffolk county, to borrow money for purchasing a steam fire apparatus with the necessary appurtenances therefor, and to secure a supply of water therefor,” reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Maynard, Int. No. 456, entitled “An act to organize a fire department in the village of Andes, Delaware county,” reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Humphrey, Int. No. 415, entitled “An act to amend chapter 68 of the Laws of 1860, entitled ‘An act to consolidate and amend the several acts relating to the village of Catskill,’ passed March 14, 1860,” reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Backenstose, Int. No. 647, entitled “An act to amend chapter 65 of the Laws of 1871, entitled ‘An act to revise and consolidate the laws in relation to the village of Geneva, in the county of Ontario,’ passed March 3, 1871,” reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Welsh, Int. No. 286, entitled “An act to amend chapter 291 of the Laws of 1870, entitled ‘An act for the incorporation of villages,’ passed April 20, 1870, as amended by chapter 688

of the Laws of 1871," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Floyd-Jones moved that the communication of the Regents of the University relating to the Sprague Historical Manuscript be taken from the table and referred to the committee on joint library.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker presented a communication in words following :

STATE OF NEW YORK—CANAL DEPARTMENT, {  
ALBANY, March 14, 1877. }

*To the Honorable the Speaker of the Assembly :*

SIR: At a meeting of the Canal Board, held Tuesday, March 13, 1877, the following resolution was adopted;

"By Mr. Ogden :

"Resolved, That the Legislature be respectfully requested to amend section 1, chapter 384 of the Laws of 1876, entitled "An act respecting the powers of the Canal Board and the adjustment of tolls," by including in the provisions of said act the Oneida lake canal."

STATE OF NEW YORK—CANAL DEPARTMENT, {  
ALBANY, March 14, 1877. }

I certify the foregoing to be a true copy of a resolution adopted at a meeting of the Canal Board, March 13, 1877.

G. W. SCHUYLER, *Auditor*.

Said communication was referred to the committee on canals.

On motion of Mr. Fay, at 2 o'clock and 35 minutes, the House took a recess until 7½ o'clock.

## HALF-PAST SEVEN O'CLOCK.

The House again met.

Mr. Speaker presented the annual report of the State Engineer and Surveyor, on companies navigating the lakes and rivers for the year 1876; which was laid on the table and ordered printed.

(See Doc. No. .)

Mr. Speaker directed the Clerk to call the roll, to ascertain if a quorum was present, when the following members answered to their names :

Alvord	Cozans	Longyear	Sager
Backenstose	Davenport	Maher	Santee
Baker	Dillmeier	Maynard	Shannon
Benedict	Dimond	McGraw	Sheldon
Billington	Fish	McKee	Skillman
Bissell	Flecke	Moore	Speaker
Bradley	Floyd-Jones	Nachtmann	Spicer
Braman	Gilbert	Neilson	Stein
Brick	Grady	Niven	Suydam
Brill	Gulick	O'Hare	Taylor
E. Case	Hepburn	Peck	Tighe

G. M. Case	Herbst	Piper	Valentine
T. A. Case	Hodges	Post	Webb
Childs	Husted	Potter	Weiant
Clark	Keator	H. H. Rockwell	Welsh
Corbett	King	W. L. Rockwell	Williams
Corsa	Langbein	Ruggles	Winch

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A quorum having been found to be present,

Mr. Speaker presented the following:

The Senate returned the bill entitled "An act in relation to the office of Superintendent of Public Works, defining the powers of the superintendent, and prescribing the mode of disbursements on account of the canals," with a message informing that they had agreed to the report of the committee of conference thereon, in the words following:

The conference committee appointed by the Senate and Assembly to consider and determine the matter of difference arising between the two houses upon the bill entitled "An act in relation to the office of Superintendent of Public Works, defining the powers of the superintendent and prescribing the mode of disbursements on account of the canals," having met and duly considered said matters, have agreed to concur in the amendments made by the Senate to sections 1, 2 and 4, and further agreed and recommend that section 3 of engrossed bill be amended so as to read as follows:

§ 3. The Superintendent of Public Works shall have the power, and it shall be his duty to purchase, from time to time, all materials which shall be necessary for use in keeping the canals and structures thereof in safe condition for good navigation.

As to the remainder of the matters of difference your committee were unable to agree.

ISAAC V. BAKER, JR.,

T. G. ALVORD,

WATERS W. BRAMAN,

F. B. SPINOLA,

D. H. COLE,

E. C. SPRAGUE,

A. SCHOONMAKER, JR.,

*Senate Committee.*

*Assembly Committee.*

Mr. Baker moved that the House concur in the report of the committee of conference and in the remaining amendments of the Senate, and that the House be permitted to recede from their suggestion for amendment made in the committee of conference.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Baker, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cozans	Langbein	W. L. Rockwell
Backenstose	Davenport	Langner	Ruggles
Baker	Dillmeier	Longyear	Sager
Benedict	Dimond	Lyon	Santee
Billings	Fish	Maher	Shannon
Billington	Flecke	Maynard	Sheldon
Bissell	Floyd-Jones	McGraw	Skillman
Bowen	Gallagher	McKee	Spicer

Bradley	Gere	Moller	Stein
Braman	Gilbert	Moore	Suydam
Brick	Grady	Nachtmann	Tabor
Brill	J. S. Graham	Neilson	Taylor
E. Case	Gulick	Niven	Tighe
G. M. Case	Hepburn	O'Hare	Valentine
T. A. Case	Herbst	Peck	Weiant
Childs	Hodges	Piper	Welsh
Clark	Husted	Post	Wickes
Corbett	Keator	Potter	Williams
Corsa	King	H. H. Rockwell	Winch
Cowdin			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of agreement to the report of the committee of conference thereon, and concurrence in remainder of Senate's amendments thereto.

A message from the Senate was received and read, informing of non-concurrence in the passage of the bills entitled as follows:

"An act to extend the time for the collection of taxes in the counties of Erie and Fulton."

"An act to extend the time for the collection of taxes in the town of Plattsburgh, in the county of Clinton."

The Senate returned the bill entitled "An act to amend chapter 113 of the Laws of 1859, entitled 'An act in relation to the common schools in the village of Elmira,'" with a message informing that they had passed the same, with the following amendments:

Section 1, line 1, strike out the words "the act," and insert in lieu thereof the words "chapter one hundred and thirteen of the Laws of eighteen hundred and fifty-nine."

Same section, strike out all after the word "Elmira" in line 3, down to and including the word "fifty-nine," in line 4.

Amend the title by striking therefrom the words "passed April fourth, eighteen hundred and fifty-nine."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 76 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dillmeier	Longyear	Sager
Backenstose	Dimond	Maher	Santee
Baker	Fish	Maynard	Shannon
Billings	Flecke	McFalls	Sheldon
Bissell	Floyd-Jones	McGraw	Skillman
Bowen	Gallagher	McKee	Speaker
Bradley	Gere	Moore	Spicer
Braman	Gilbert	Morey	Stein
Brick	Grady	Nachtmann	Stephenson
E. Case	J. S. Graham	Niven	Suydam
G. M. Case	Gulick	O'Hare	Tabor
T. A. Case	Healy	Peck	Tighe



Clark	Hepburn	Piper	Valentine
Corbett	Herbst	Post	Webb
Corsa	Husted	Potter	Weiant
Coulter	Keator	Rice	Welsh
Cowdin	King	H. H. Rockwell	Wickes
Cozans	Langbein	W. L. Rockwell	Williams
Davenport	Langner	Ruggles	Winch

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

A message from the Senate was received and read, requesting the concurrence of the Assembly to a resolution in the words following:

*Resolved* (if the Assembly concur), That there be printed for the use of the Legislature 2,500 copies of the report of the commission to revise a plan for the government of the city of New York.

Said resolution being concurrent,

*Ordered*, That the same be laid on the table.

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows:

"An act to legalize the action of the village of Whitehall."

*Ordered*, That the Clerk deliver said bill to the Governor.

By unanimous consent,

Mr. Niven introduced a bill entitled "An act to release the interest of the people of the State of New York in certain real estate in the town of Fallsburgh, Sullivan county, New York, to Zebulon Hotchkiss, of said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

Also, a petition on the same subject; which was read and referred to the same committee.

Mr. Billings, from the committee on expenditures of the House, to which was referred the resolution introduced by Mr. J. S. Graham, relative to appointment of a clerk to the sub-committee of the whole, reported in favor of the adoption of the following resolution:

*Whereas*, It is necessary that the subcommittee of the whole for the proper and expeditious transaction of its business, should have a messenger.

*Resolved*, That Erwin Payne be and he is hereby appointed a messenger to the sub-committee of the whole, at the same rate of compensation as allowed to other messengers of committees of the Assembly.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

{ AYES 71 }  
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Corsa	Hodges	Rice
Backenstose	Coulter	Husted	H. H. Rockwell
Baker	Cowdin	Keator	W. L. Rockwell
Benedict	Cozans	Langbein	Ruggles
Billings	Davenport	Longyear	Sager
Billington	Dillmeier	Maher	Santee
Bissell	Dimond	Maynard	Shannon
Bowen	Fish	McFalls	Skillman
Bradley	Floyd-Jones	McGraw	Skinner

Braman	Gallagher	McGroarty	Speaker
Brick	Galvin	McKee	Spicer
Brill	Gere	Morey	Stein
J. S. Brown	J. S. Graham	Niven	Stephenson
E. Case	Gulick	Noyes	Stone
G. M. Case	Hayes	O'Hare	Suydam
T. A. Case	Healy	Peck	Tighe
Clapp	Herrick	Piper	Valentine
Corbett	Herbst	Post	

Those who voted in the negative, were

Moore	Welsh	Wickes
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Mr. Clark, from the committee on petitions of aliens, to which was referred the bill introduced by Mr. W. L. Rockwell, Int. No. 506, entitled "An act to release to Miles Perry and his legal representatives the title and interest of the people of the State of New York in certain real estate in the town of Riga and county of Monroe," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Speaker announced the special order of the day, being the bill entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations."

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Gilbert, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Husted moved to make said bill a special order on Monday evening next, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Floyd-Jones offered for the consideration of the House a resolution, in the words following:

*Resolved*, That Assembly bill No. 299, entitled "An act to erect a new county from the towns of Oyster Bay, Hempstead and North Hempstead of Queens county, and the towns of Huntington and Babylon of Suffolk to be called and known by the name of Nassau county," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

Mr. Fish moved that the bill entitled "An act to secure better public administration within the city and county of New York," be made a special order for to-morrow morning, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Fish moved that the House meet to-morrow morning at 10 o'clock.

Mr. Speaker put the question whether the House would agree to said

motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

On motion of Mr. Husted, and by unanimous consent, the orders of business introduction of bills and reports of standing committees, were taken up.

Mr. Maher introduced a bill entitled "An act in relation to taking up the wood block pavement upon the streets in the city of Albany and repaving the same with granite or stone block pavement, and to authorize the city of Albany to pay one-half of the expense thereof by general tax," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Bradley introduced a bill entitled "An act to reduce expenses for corporation advertising of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

On motion of Mr. O'Hare, the bill entitled "An act for the better protection of human life on railways, steam vessels and shipping, and in the cities of this State," was recommitted to the committee on public health with instructions to report the same back to the House on or before March 23, said bill retaining its place on general orders.

Mr. Berrigan introduced a bill entitled "An act in relation to the slaughtering and converting of animals into articles of merchandise and commerce in the city of New York," which was read the first time, and by unanimous consent, was also read the second time, and referred to the committee on affairs of cities.

Mr. Niven introduced a bill entitled "An act to incorporate the Narrowsburg Bridge Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. McKee introduced a bill entitled "An act to enable Clinton Liberal Institute to change its location," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Lang introduced a bill entitled "An act in relation to summary proceedings to recover possession of land in cases of forcible entries and detainers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hayes introduced a bill entitled "An act to amend an act to amend the certificate of incorporation of the New York Ophthalmic Hospital," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Strahan, Int. No. 439, entitled "An act relating to the redemption of lands sold under decrees of foreclosures in the counties of New York and Kings," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Alvord, Int. No. 731, entitled "An act in relation to the indictment and punishment of criminal offences committed on the railroads of the State," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was

referred the Senate bill entitled "An act to amend chapter 341, Laws of 1872, entitled 'An act in reference to the Young Men's Association for mutual improvement in the city of Albany,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Braman, and by unanimous consent, said bill was ordered to a third reading.

Mr. Strahan, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to facilitate the removal of clouds and apparent liens upon the title to real estate," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

(Mr. Ruggles dissented).

Mr. Strahan, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to authorize the treasurer of Monroe county to sell property for unpaid taxes," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the committee on the judiciary be discharged from the further consideration of the bill introduced by Mr. Wemple, entitled "An act to incorporate the Young Men's Lyceum of the village of Amsterdam," and that the same be referred to the committee on charitable and religious societies.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Ecclesine offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the adverse report of the judiciary committee on the bill, introductory No. 406, entitled "An act for the relief of George W. Phelps and others," be disagreed to, and that the same be laid upon the table.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill entitled "An act to provide for the collection of unpaid city taxes in the city of Syracuse," reported in favor of the passage of the same, with amendments, the title amended to read "An act to provide for the collection of unpaid city taxes and local assessments in the city of Syracuse," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Webb, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Brill, Int. No. 617, entitled "An act to amend an act entitled 'An act to amend an act concerning the pilots of the channel of the East river, commonly called Hell Gate,' passed April 15, 1847, and the various acts amendatory thereto, passed March 12, 1860, March 14, 1865, May 17, 1867, April 16, 1868 and April 5, 1871," reported adversely thereto, which report was agreed to.

Mr. Webb, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Bradley, Int. No. 50, entitled "An act to amend chapter 945 of the Laws of 1867, entitled 'An act to regulate the use of certain slips, piers and wharves on the East river, in the city of New York,' passed May 23, 1867," reported adversely thereto.

(Mr. Shanley dissented.)

On motion of Mr. Bradley, said bill was laid on the table.

Mr. Webb, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Brill, Int. No. 615, entitled "An act to prevent and punish the unlawful taking and carrying away of sand or earth from lands or shores above ordinary high-water mark, in the town of Huntington, Suffolk county," reported adversely thereto.

On motion of Mr. Brill, said bill was laid on the table.

Mr. Webb, from the committee on commerce and navigation, to which was recommitted the bill introduced by Mr. Webb, Int. No. 175, entitled "An act to amend chapter 69 of the Laws of 1847, entitled 'An act concerning the pilots of the channel of the East river, commonly called Hell Gate,' passed April 15, 1847, and the various acts amendatory thereof, passed March 12, 1860, March 14, 1865, May 12, 1867, April 16, 1848, and April 5, 1871," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Marvin moved to take from the table the report of the judiciary committee in the words following:

"Mr. Strahan, from the committee on the judiciary, to which was recommitted the bill introduced by Mr. Marvin, Int. No. 226, entitled 'An act to provide for the filing of security for the payment of damages and costs by the plaintiff in actions or proceedings against physicians, surgeons and dentists for damages or punishment for malpractice,' reported adversely thereto."

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Marvin moved to disagree with the report of the committee on the judiciary, and that said bill be committed to the committee of the whole.

Mr. Tighe moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Marvin, and it was determined in the affirmative.

Mr. Ecclesine introduced a bill entitled "An act in relation to regulating and grading the Kingsbridge road in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Bowen, from the committee on internal affairs, to which was referred the bill introduced by Mr. Bowen, Int. No. 674, entitled "An act in relation to the maintenance of the chronic insane poor of the county of Clinton," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Bowen, from the committee on internal affairs, to which was referred the bill introduced by Mr. Sanders, Int. No. 695, entitled "An act to establish a fire department in the second school district of the town of Glenville, in the county of Schenectady, and for the government and maintenance of the same," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Bowen, from the committee on internal affairs, to which was referred the bill introduced by Mr. Taylor, Int. No. 736, entitled "An act requiring the superintendents of the poor of the county of Genesee, to convey to the board of supervisors of said county, the lands and

appurtenances known as the poor-house farm, situate in the town of Bethany, in said county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Bowen, from the committee on internal affairs, to which was recommended the bill introduced by Mr. Brick, Int. No. 68, entitled "An act to amend chapter 497 of the Laws of 1870, entitled 'An act to establish a police force in the county of Richmond,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Bowen, from the committee on internal affairs, to which was referred the bill introduced by Mr. Backestose, Int. No. 520, entitled "An act in relation to the appointment of town constables," reported in favor of the passage of the same, with amendments, the title amended so as to read "An act in relation to the appointment of town constables in the county of Ontario," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gallagher, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Suydam, Int. No. 105, entitled "An act to authorize the supervisors of Kings county and the supervisors of Queens county, to acquire title to the franchises, rights, title and property of the Maspeth Railroad and Bridge Company, in the town of Newtown, and the county of Kings," reported adversely thereto, which report was agreed to.

Mr. Gallagher, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Fay, Int. No. 700, entitled "An act to amend chapter 286 of the Laws of 1875, entitled 'An act to amend chapter 474, entitled An act to amend chapter 504 of the Laws of 1873, entitled An act in relation to a certain highway in the county of Hamilton, appropriating certain non-resident highways moneys thereto, and repealing acts heretofore passed in relation thereto,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gallagher, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Barnes, Int. No. 426, entitled "An act to authorize the president and directors of the Charlotte Turnpike Company to abandon their road, and for other purposes," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gallagher, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Brick, Int. No. 732, entitled "An act to authorize the town of Northfield, in the county of Richmond, to raise money to macadamize the public roads in said town, and to provide for the macadamizing thereof," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Lyon, Int. No. 612, entitled "An act in relation to the repaving and improvement of Fourth street, from Division avenue to Grand street, in the city of Brooklyn," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. J. G. Graham, from the committee on insurance, to which was

referred the Senate bill entitled "An act to amend chapter 277 of the Laws of 1870, entitled 'An act to amend an act entitled An act to amend an act entitled An act for the benefit of married women in insuring the lives of their husbands,' passed April 14, 1858," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. J. G. Graham, from the committee on insurance, to which was referred the several petitions and bills relating to insurance, introduced a bill entitled "An act for the better protection of policy holders of life insurance companies," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. J. G. Graham offered for the consideration of the House a resolution, in the words following:

*Resolved*, That Senate bill No. 88, G. O. 233, and the bill entitled "An act to regulate the reinsurance of policy obligations of life insurance companies," be made the special orders for Thursday morning next, after the presentation of petitions.

Mr. Fish moved to amend by striking out the words "Thursday morning" and inserting in lieu thereof the words "Wednesday evening."

Mr. Alvord moved to further amend by adding at the end of resolution the words "and that a regular session be held at that time."

Mr. Tighe moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Alvord, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Fish, as amended, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution, as amended, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. J. G. Graham, offered for the consideration of the House a resolution, in the words following:

*Whereas*, The committee on insurance has been directed to make certain investigations involving a large amount of business in the examination of witnesses; therefore,

*Resolved*, That the committee on insurance be authorized to employ a stenographer in the matter of the investigations referred to them, at a compensation of twenty-five cents per folio for taking, writing out and copying minutes of proceedings on the investigations before said committee.

*Ordered*, That said resolution be referred to the committee on expenditures of the House.

On motion of Mr. Lang, and by unanimous consent, the committee on expenditures of the House was discharged from further consideration of said resolution and the same considered at this time.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 71 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Filkin	McGraw	Sliter
Backenstose	Fish	McGroarty	Smith
Benedict	Flecke	McKee	Speaker
Billington	Floyd-Jones	Moller	Spinola
Bissell	Gallagher	Moore	Stephenson
Bowen	Gilbert	Nachtmann	Stone
Bradley	Grady	Neilson	Strahan
Braman	J. G. Graham	Niven	Suydam
Brick	Gulick	Peck	Tabor
Brill	Hayes	Piper	Taylor
J. H. Brown	Husted	Purdy	Thistlethwaite
J. S. Brown	Lang	Rice	Tighe
Burns	Langbein	H. H. Rockwell	Valentine
G. M. Case	Langner	W. L. Rockwell	Webb
Clapp	Maher	Ruggles	Wemple
Cozans	Marvin	Sager	Wickes
Dillmeier	Maynard	Skillman	Winch
Ecclesine	McFalls	Skinner	

Mr. Smith, from the committee on public education, introduced a bill entitled "An act in regard to the instruction of common school teachers, and the establishing of examinations by the Regents of the University as to attainments in learning," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Smith, from the committee on public education, to which was referred the bill introduced by Mr. Skinner, Int. No. 403, entitled "An act for the relief of school districts wishing to contract with boards of education of cities to educate their children in city schools," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Smith, from the committee on public education, to which was referred the bill introduced by Mr. Hayes, Int. No. 956, entitled "An act to amend an act entitled 'An act to secure to children the benefit of elementary education,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Smith, from the committee on public education, introduced a bill entitled "An act to repeal chapter 574, Laws of 1876, entitled 'An act to amend section 9 of chapter 567, Laws of 1875, entitled 'An act to amend chapter 555 of Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,'" which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Smith, from the committee on public education, to which was referred the Senate bill entitled "An act to authorize the appointment of a librarian to take charge of the law library in the fifth judicial district, located at Utica," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Smith, from the committee on public education, to which was



referred the Senate bill entitled "An act relating to Gowanda union free school district, composed of a part of the town of Collins, in Erie county, and parts of the towns of Persia and Perrysburgh, in Cattaraugus county," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Marvin presented two petitions asking for repeal of the Queens county railway act; which was read and referred to the committee on railroads.

Mr. Suydam presented a petition relative to the Narrowsburgh Bridge Company; which was read and referred to the committee on commerce and navigation.

Mr. Ruggles presented a petition of citizens and tax-payers of Steuben county for a reduction of salaries of the county judge; which was read and referred to the committee on the judiciary.

Mr. Moody presented two petitions of citizens of Broome county in favor of granting the Chenango canal extension to the Binghamton, Dushore and Williamsport Railroad Company for a railroad track; which was read and referred to the committee on canals.

Mr. Braman presented a petition of residents of the city of Cohoes for a bridge, to be located at Ship street, over the Champlain canal, in said city; which was read and referred to the committee on canals.

Mr. Rice presented a remonstrance of 535 citizens of the counties of Cayuga, Oswego, Ulster, Erie, Scholarie and Lewis against the repeal of the civil damage act; which was read and referred to the committee on internal affairs.

Mr. Morey presented a petition of members of the bar of Livingston county for the repeal of section 1496 of chapter 448 of the Laws of 1876, said section provides that the Code of Remedial Justice shall take effect on the first day of May, 1877; which was read and referred to the committee on the judiciary.

Mr. Hayes presented a petition relative to the sale of intoxicating liquors; which was read and referred to the committee on internal affairs.

Mr. Lang presented a petition of citizens of Stockholm, New York, for a reduction of salaries; which was read and referred to the committee on internal affairs.

On motion of Mr. Tighe, at 10 o'clock and 35 minutes, the House adjourned.

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### FRIDAY, MARCH 16, 1877.

The House met pursuant to adjournment.

No clergyman present.

The journal of yesterday was read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act authorizing and confirming a lease made by Benjamin Lewis and other Seneca Indians, to George A. Berry, of the right to transmit crude petroleum through a pipe over certain lands on the Allegany reservation, and authorizing said George A. Berry to use such lands for that purpose," which was read the first time, and by unanimous consent

was also read the second time, and referred to the committee on Indian affairs.

"An act in relation to the property and families of absconding persons," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A message from the Senate was received and read informing of concurrence in the passage of the bill entitled as follows:

"An act making an appropriation for the payment of a portion of the general fund State debt."

*Ordered*, That the Clerk deliver said bill to the Governor.

By unanimous consent,

Mr. Clapp introduced a bill entitled "An act to establish the boundary line between the towns of Jay and Wilmington, in the county of Essex, and to confirm the past jurisdiction of said towns respectively in relation to said line," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on civil divisions.

A message from the Senate was received and read, informing of non-concurrence in the passage of the bills entitled as follows:

"An act to extend the time for the collection of taxes in the town of Wellsville, in the county of Allegany."

"An act to decrease the number of assessors in the town of Aurora, county of Erie, and to determine their terms of office."

The Senate returned the bill entitled "An act to extend the charter of the Glen Cove Mutual Insurance Company, passed March 29, 1837, as the same was modified and amended by chapter 40 of the Laws of 1857, passed February 19, 1857," with a message informing that they had passed the same, with the following amendments:

Strike out all after the enacting clause and insert the following:

SECTION 1. The corporate existence of the Glen Cove Mutual Insurance Company, incorporated by chapter 118 of the Laws of 1837, entitled "An act to incorporate the Glen Cove Mutual Insurance Company," is hereby extended, and its charter and all provisions of law applicable thereto are continued in force for twenty years from the 29th day of March, 1877.

§ 2. This act shall take effect immediately.

Amend the title so as to read "An act to extend the corporate existence and charter of the Glen Cove Mutual Insurance Company."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 83 {  
} NOES 1 {

Those who voted in the affirmative, were

Alvord	Filkin	Lyon	W. L. Rockwell
Backenstose	Fish	Maher	Santee
Baker	Flecke	Marvin	Shannon
M. I. Baldwin	Floyd-Jones	Maynard	Sheldon
Barnes	Gallagher	McFalls	Sliter
Bowen	Gere	McGraw	Smith
J. H. Brown	J. G. Graham	McGroarty	Speaker
J. S. Brown	Gulick	McKee	Stein

E. Case	Hamilton	Moore	Strahan
G. M. Case	Hammond	Morey	Suydam
T. A. Case	Hayes	Neilson	Tabor
Clapp	Herrick	Niven	Taylor
Clark	Herbst	Noyes	Thistlethwaite
Corbett	Hodges	Orr	Tighe
Coulter	Hogeboom	Peck	Valentine
Cowdin	Humphrey	Piper	Waddell
Cozans	Husted	Post	Webb
Davenport	King	Potter	Wemple
Dillmeier	Lang	Purdy	Wickes
Ecclesine	Langbein	Rice	Winch
Fay	Langner	H. H. Rockwell	

For the negative,  
Spinola

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Gallagher, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Brick, Int. No. 666, entitled "An act to amend chapter 182 of the Laws of 1863, entitled 'An act to make separate road districts of parts of the towns of Castleton, Middle-town and Southfield, in the county of Richmond, and to provide for the drainage of the same,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Shannon moved that Senate bill entitled "An act authorizing and confirming a lease made by Benjamin Lewis and other Seneca Indians to George A. Berry, of the right to transmit crude petroleum oil through a pipe over certain lands on the Allegany reservation, and authorizing said George A. Berry to use such lands for that purpose," be substituted for Assembly bill on same subject now in committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Indefinite leave of absence was granted to Mr. Noyes.

Mr. Speaker announced the special order of the day, being the bill entitled "An act to secure better public administration within the city and county of New York."

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act to secure better public administration within the city and county of New York."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Lang, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Fish moved that said bill be made a special order for Tuesday evening next.

Mr. Skinner moved that said bill be made a special order for this evening, at 7½ o'clock, and that a special session be held for that purpose.

Mr. Tighe moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Skinner, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Fish, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Leave of absence was granted to Mr. Winch until Tuesday morning.

Mr. Marvin offered for the consideration of the House, a resolution, in the words following:

*Resolved*, That when this House adjourns to-day, it adjourn to meet on Monday evening next at eight o'clock.

Mr. Fish moved to amend by striking out the words "Monday evening next, at eight o'clock," and insert in lieu thereof "this evening at half-past seven."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Fish, and it was determined in the negative.

{ AYES 41 }  
{ NOES 42 }

Those who voted in the affirmative, were

Alvord	Gilbert	McGroarty	Sager
Barnes	Grady	McKee	Sanders
Bowen	Hayes	Moore	Skillman
Brick	Hogeboom	Neilson	Skinner
T. A. Case	Husted	O'Hare	Sliter
Clark	Lang	Piper	Speaker
Corsa	Langbein	Post	Spinola
Cowdin	Maynard	Potter	Strahan
Ecclesine	McFalls	Purdy	Webb
Fay	McGraw	Rooney	Williams
Fish			

Those who voted in the negative, were

Baker	Filkin	Humphrey	Ruggles
M. L. Baldwin	Flecke	Maher	Santee
Berrigan	Floyd-Jones	Marvin	Shanley
Braman	Galvin	Mitchell	Shannon
Brill	Gere	Moody	Stein
Bulmer	J. G. Graham	Morey	Stephenson
Burns	Gulick	Nachtmann	Snydam
Clapp	Hamilton	Niven	Tighe
Coulter	Hammond	Proper	Wemple
Cozans	Healy	W. L. Rockwell	Winch
Crowley	Herrick		

The hour of 2 o'clock having arrived, the House adjourned.

SATURDAY, MARCH 17, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Magee.

The journal of yesterday was read and approved.

The Senate returned the bill entitled as follows:

"An act to amend chapter 113 of the Laws of 1859, entitled 'An act in relation to the common schools in the village of Elmira,' passed April 4, 1859."

*Ordered*, That the Clerk deliver said bill to the Governor.

The Senate returned Assembly bill entitled "An act making appropriations for the support of Government," with a message informing that they had passed the same, with the following amendments:

Page 1. Change the paragraph commencing on line 23, so as to read as follows: For the purchase of a furnished executive mansion, fifty thousand dollars, or so much thereof as may be necessary. The Governor, Speaker of the Assembly and President *pro tem.* of the Senate are hereby appointed a commission to make such purchase. In case such purchase be not made, the sum of seven thousand five hundred dollars is hereby appropriated for the rent of a suitable furnished executive residence for the Governor.

Page 2. After line 23, insert the following: For the justices of the Supreme Court, in the second judicial district, not residing in the county of Kings, for additional compensation, pursuant to chapter 765 of the Laws of 1868, five thousand dollars; and for the stenographers appointed under said act, three thousand five hundred dollars. Said amounts to be paid only from moneys which shall have been or shall be paid into the treasury for taxes levied for this purpose of said act and in pursuance thereof.

Page 5. Line 14, strike out the word "seventeen," and insert the word "twelve." Line 32, after the word "dollars," insert the words "and the further sum of twenty-five thousand dollars, for compensation and expenses of examination of insurance companies."

Page 7. Line 30, strike out the word "four," and insert the word "three."

Page 8. Line 21, strike out the words "hall for." Strike out paragraph commencing on line 27, as follows: "For the persons employed in making drawings for the Natural History of the State, for salary, to be paid in such manner as may be determined by the Secretary of State and the Secretary of the Board of Regents, two thousand five hundred dollars." Line 33, strike out the word "full."

Page 10. Line 9, after the words "State prisons," insert the words "and the State reformatory at Elmira." Line 16, after the words "State prisons," insert the words "and the State reformatory at Elmira." Line 29, strike out the word "twenty" and insert the word "ten." Add at the end of line 29 the following: "Hereafter the compensation to sheriffs for conveying a convict to a State prison from the county prison for each mile actually traveled, ten cents; for conveying two convicts, for each mile so traveled, fifteen cents; for conveying three convicts, twenty cents; for conveying four convicts, twenty-five cents; and for all additional convicts such reasonable allowance as the Comptroller may think just, which said allowance, with one dollar per day for the maintenance of each convict while on the way to a State prison, but not exceeding one dollar for every thirty miles travel, shall be in full of all charges and expenses in the premises."

Page 14. Strike out the paragraph commencing on line 9, as follows: "For the commissioners to revise the statutes, appointed under chapter 33 of the Laws of 1870, for their salaries, from October 1, 1877, to May 1, 1878, when their term of office will expire, eight thousand seven hundred and fifty dollars; for their expenses for clerical services and other incidental matters, three thousand five hundred dollars; and in addition thereto, one thousand seven hundred and fifty dollars, for the general expenses of the commission, to be expended under the direction of the commissioners," and insert in lieu thereof the following: "The term of

office of the commissioners to revise the statutes provided by chapter 33 of the Laws of 1870, shall expire on the 30th day of September, 1877."

Page 16. After line 26, insert a new paragraph, as follows: "For the support of Mark Jack, an insane Indian, and of Susan Green, an insane Indian woman at the asylum, two hundred and fifty dollars each." Line 29, strike out the words "eight thousand," and insert the words "nine thousand five hundred."

Page 17. Line 1, strike out the word "thirty" and insert the word "forty." Line 26, strike out the word "thirty" and insert the word "twenty."

Page 18. Line 19, strike out the word "capital." Strike out the paragraph commencing on line 20 as follows: "For investment of the common school fund, in loans to any of the towns or counties of this State for the erection of public buildings or the purchase of land therefor, fifty thousand dollars, or so much thereof as may be necessary."

Mr. Husted moved to non-concur in the Senate amendments, that a committee of conference be appointed, and that the Senate be requested to appoint a like committee.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced as such committee on the part of the House, Messrs. Husted, Hogeboom, Post, J. G. Graham and Bradley.

By unanimous consent,

Mr. O'Hare introduced a bill entitled "An act to repeal chapter 370 of the Laws of 1866, entitled 'An act to alter the map or plan of the city of New York, and to discontinue certain proposed streets,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Langbein introduced a bill entitled "An act to make further provision for the payment of further expenses of the local government of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Cowdin introduced a bill entitled "An act to amend the banking law," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent,

Mr. Saunders introduced a bill entitled "An act in relation to the laying out of a public ground in the Fourth ward of the city of Schenectady, and authorizing the common council to borrow money for that purpose," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Stein introduced a bill entitled "An act relating to railroads in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. J. G. Graham offered for the consideration of the House a resolution, in the words following:

*Resolved* (if the Senate concur), That the usual number of the insurance report, ten copies for each member, officer and reporter, be printed

as heretofore, and 1,500 copies of the fire and marine report, and 2,000 copies of the life report, bound separately, for the use of the Superintendent of the Insurance Department.

Said resolution being concurrent,

*Ordered*, That the same be laid on the table.

Mr. Lang, from the committee on general laws, to which was referred the bill introduced by Mr. Tighe, Int. No. 479, entitled "An act relating to assessment for repairing and repaving between railroad tracks in any town or city in this State," asked to be discharged from the further consideration of the same, and that said bill be referred to the committee on railroads.

On motion of Mr. Grady, said request was laid on the table.

Mr. Lang, from the committee on general laws, to which was referred the bill introduced by Mr. Tighe, Int. No. 219, entitled "An act for the protection of passengers," asked to be discharged from the further consideration of the same, and that said bill be referred to the committee on railroads.

On motion of Mr. Grady, said request was laid on the table.

Mr. Lang, from the committee on general laws, to which was referred the bill introduced by Mr. Tighe, Int. No. 545, entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,' passed June 5, 1875," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Lang, from the committee on general laws, to which was referred the bill introduced by Mr. Brill, Int. No. 108, entitled "An act to amend chapter 857 of the Laws of 1873, entitled 'An act in relation to the keeping open of certain public offices in the county of Kings,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Lang, from the committee on general laws, to which was referred the bill introduced by Mr. Weiant, Int. No. 607, entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Lang, from the committee on general laws, to which was referred the bill introduced by Mr. Brill, Int. No. 366, entitled "An act to exempt the county of Suffolk from the provisions and operation of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State and to prescribe their powers and duties,'" reported the same for the consideration of the House, with amendments, the title amended so as to read "An act to exempt the counties of Suffolk, Livingston and Otsego from the provisions and operation of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State and to prescribe their powers and duties.'"

On motion of Mr. Alvord, and by unanimous consent, all order of business was laid on the table excepting general orders.

Mr. Clapp offered for the consideration of the House a resolution, in the words following:

*Resolved*, That Assembly bill No. 176, entitled "An act to amend an act entitled 'An act establishing a ferry from Barber's Point, in the town

of Westport, in the county of Essex, across Lake Champlain, and to repeal chapter 495 of the Laws of 1871, passed May 1, 1872," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Spinola offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the roll be called and that each member present be allowed to move one bill to a third reading unless objected to.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Leave of absence was granted to Mr. Maynard.

Mr. Alvord moved that when the House adjourn it be to Monday evening at eight o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Fish moved that all members who are not present at this session be granted leave of absence.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Alvord, and by unanimous consent, the committee of the whole were discharged from the further consideration of the bill entitled "An act to amend the charter of the city of Syracuse so far as concerns the reorganization of the fire department of said city," and the same was ordered to a third reading.

On motion of Mr. Alvord, and by unanimous consent, said bill was referred to a special committee consisting of Messrs. Alvord, Smith and Herbst, for amendment, the same retaining its place on the order of business "third reading of bills."

On motion of Mr. Barnes, and by unanimous consent, the committee of the whole were discharged from the further consideration of the bill entitled "An act to amend chapter 44 of the Laws of 1828, entitled 'An act relative to the common school fund of Edmeston, in the county of Otsego,'" and the same was ordered to a third reading.

On motion of Mr. Bissell, and by unanimous consent, the committee of the whole were discharged from the further consideration of the bill entitled "An act to confirm the election of trustees in the village of North Tonawanda, in the county of Niagara, and to provide for their election hereafter," and the same was ordered to a third reading.

On motion of Mr. Clapp, and by unanimous consent, the committee of the whole were discharged from the further consideration of the bill entitled "An act to amend an act entitled 'An act establishing a ferry from Barber's Point, in the town of Westport, in the county of Essex, across Lake Champlain, and to repeal chapter 495 of the Laws of 1871,' passed May 1, 1872," and the same was ordered to a third reading.

On motion of Mr. Clapp, and by unanimous consent, said bill was amended by striking out section 5, and altering the remaining numbers of sections to correspond.

On motion of Mr. Brick, and by unanimous consent, the committee of the whole were discharged from the further consideration of the bill entitled "An act to amend chapter 497 of the Laws of 1870, entitled 'An act to establish a police force in the county of Richmond,' passed April 28, 1870," and the same was ordered to a third reading.



On motion of Mr. Grady, and by unanimous consent, the committee of the whole were discharged from the further consideration of the bill entitled "An act to provide for the collection of unpaid city taxes in the city of Syracuse," and the same was ordered to a third reading.

On motion of Mr. Alvord, and by unanimous consent, said bill was referred to a special committee consisting of Messrs. Alvord, Smith and Herbst for amendment, the same retaining its place on the order of business "third reading of bills."

On motion of Mr. Hayes, and by unanimous consent, the committee of the whole were discharged from the further consideration of the bill entitled "An act to incorporate the Veteran Guard of the city of New York," and the same was ordered to a third reading.

On motion of Mr. Husted, and by unanimous consent, the committee of the whole were discharged from the further consideration of the bill entitled "An act to amend chapter 395 of the Laws of 1859, entitled 'An act in relation to the colonial history of the State and the natural history thereof,'" and the same was ordered to a third reading.

On motion of Mr. Lang, and by unanimous consent, the committee of the whole were discharged from the further consideration of the bill entitled "An act to amend an act to amend the charter of the city of Brooklyn, and the various amendments thereof, passed June 28, 1873, and to further amend the charter of the city of Brooklyn, as amended by an act passed June 1, 1874, and as further amended by an act for that purpose entitled 'An act to amend the charter of the city of Brooklyn, being the act for that purpose passed June 28, 1873, and the act for that purpose passed June 1, 1874, as passed June 21, 1875,' and as further amended by an act for that purpose, entitled 'An act to amend section 23, title 2 of the amended charter of the city of Brooklyn,' passed June 28, 1873, passed May 15, 1876," and the same was ordered to a third reading.

On motion of Mr. Langbein, and by unanimous consent, the committee of the whole were discharged from the further consideration of the bill entitled "An act for the relief of the Kips Bay Methodist Episcopal Church," and the same was ordered to a third reading.

On motion of Mr. McKee, and by unanimous consent, the committee of the whole were discharged from the further consideration of the bill entitled "An act to repeal certain provisions of chapter 4 of the Laws of 1862, entitled 'An act to secure the better application of funds to relieve the poor in the town of Little Falls, Herkimer county,'" and the same was ordered to a third reading.

On motion of Mr. Morey, and by unanimous consent, the committee of the whole were discharged from the further consideration of the bill entitled "An act supplementary to chapter 273 of the Laws of 1866, entitled 'An act authorizing the incorporation of associations to erect monuments to perpetuate the memory of soldiers who fell in defense of the Union,' passed March 30, 1866," and the same was ordered to a third reading.

On motion of Mr. Nachtmann, and by unanimous consent, the committee of the whole were discharged from the further consideration of the bill entitled "An act to release the right, title and interest of the people of the State of New York in and to the proceeds of sale of certain real estate in the town of Middletown, county of Richmond, to Phillipena Schworm, widow of Bernard Schworm, deceased," and the same was ordered to a third reading.

On motion of Mr. Piper, and by unanimous consent, the committee of

the whole were discharged from the further consideration of the bill entitled "An act to amend chapter 767 of the Laws of 1872, entitled 'An act to establish the compensation of county judges and surrogates, pursuant to the fifteenth section of the amended sixth article of the Constitution,'" and the same was ordered to a third reading.

On motion of Mr. Sager, and by unanimous consent, the committee of the whole were discharged from the further consideration of the bill entitled "An act to authorize the payment of certain moneys out of the State treasury to the heirs at law of Maria Brimmayer, deceased," and the same was ordered to a third reading.

On motion of Mr. Sanders, and by unanimous consent, the committee of the whole were discharged from the further consideration of the bill entitled "An act in relation to the keeping open of the office of the clerk of the county of Schenectady," and the same was ordered to a third reading.

On motion of Mr. Skillman, and by unanimous consent, the committee of the whole were discharged from the further consideration of the bill entitled "An act to amend section 50 of article 3, title 1 of chapter 16 of the first part of the Revised Statutes, in relation to highways, amended by chapter 791 of the Laws of 1868, and by chapter 461 of the Laws of 1870," and the same was ordered to a third reading.

On motion of Mr. Skinner, and by unanimous consent, the committee of the whole were discharged from the further consideration of the bill entitled "An act to authorize the common council of the city of Watertown to cancel and annul a bond executed and delivered to the city of Watertown, by Byron D. Adsit, with sureties, dated January 8, 1874, and to release and discharge the said Byron D. Adsit and his sureties from all liability thereon," and the same was ordered to a third reading.

On motion of Mr. Spinola, and by unanimous consent, the committee of the whole were discharged from the further consideration of the bill entitled "An act further to amend chapter 338 of the Laws of 1875, entitled 'An act to amend an act entitled An act for the relief of the surviving members of the First Regiment of New York volunteers, who served in the war with Mexico,'" and the same was ordered to a third reading.

On motion of Mr. Stein, and by unanimous consent, the committee of the whole were discharged from the further consideration of the bill entitled "An act to amend chapter 264 of the Laws of 1817, entitled 'An act to incorporate the members of the New York Institution for the Instruction of the Deaf and Dumb, with amendments thereto,'" and the same was ordered to a third reading.

On motion of Mr. Stephenson, and by unanimous consent, the committee of the whole were discharged from the further consideration of the bill entitled "An act extending the time for the organization of the New York Loan and Security Company," and the same was ordered to a third reading.

On motion of Mr. Baker, and by unanimous consent, the committee of the whole were discharged from the further consideration of the bill entitled "An act to amend chapter 395 of the Laws of 1873, entitled 'An act to alter the system of repairing the highways,'" and the same was ordered to a third reading.

On motion of Mr. Floyd-Jones, and by unanimous consent, the committee of the whole were discharged from the further consideration of the bill entitled "An act further to amend chapter 280 of the Laws of

1852, entitled 'An act further to amend the act entitled An act authorizing the incorporation of rural cemetery associations,' passed April 27, 1847," and the same was ordered to a third reading.

Mr. Speaker presented a message from his excellency the Governor in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }  
ALBANY, *March 16, 1877.* }

*To the Legislature :*

I have the honor to transmit herewith a communication from the Secretary of State of the State of Connecticut, transmitting a memorial of the General Assembly of that State relating to pilotage of vessels through Hell Gate.

L. ROBINSON.

Mr. Husted moved that said communication be printed and placed on the file of the members, and the same be committed to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. J. G. Graham, and by unanimous consent, the committee of the whole were discharged from the further consideration of the bill entitled "An act to amend chapter 370 of the Laws of 1873, entitled 'An act to revise and amend an act entitled An act to incorporate the village of Port Jervis,' passed March 30, 1866, and all acts relating thereto, passed May 1, 1873," and the same was ordered to a third reading.

On motion of Mr. Fish, and by unanimous consent, the committee of the whole were discharged from the further consideration of the bill entitled "An act to enable the city of Brooklyn to acquire certain lands lying in Atlantic avenue, decided to be the property of the heirs of John Cowenhoven," and the same was ordered to a third reading.

On motion of Mr. Potter, and by unanimous consent, the committee of the whole were discharged from the further consideration of the bill entitled "An act respecting the power of the Union Home and school for the education and maintenance of the children of our volunteers who are left unprovided for to take and hold real and personal estate," and the same was ordered to a third reading.

On motion of Mr. Rooney, and by unanimous consent, the committee of the whole were discharged from the further consideration of the bill entitled "An act additional to chapter 370 of the Laws of 1872, entitled 'An act to amend an act relating to the rates of wharfage on canal boats and to regulate piers, wharves, bulk-heads and slips in the cities of New York and Brooklyn,' passed May 6, 1870," and the same was ordered to a third reading.

On motion of Mr. Herrick, and by unanimous consent, the committee of the whole were discharged from the further consideration of the bill entitled "An act to amend chapter 329 of the Laws of 1871, being an act to amend chapter 800 of the Session Laws of 1866, relative to the taking of lands for the erection of school-houses, or making additions thereto," and the same was ordered to a third reading.

On motion of Mr. Hamilton, and by unanimous consent, the committee of the whole were discharged from the further consideration of the bill entitled "An act to amend chapter 766 of the Laws of 1868, entitled 'An act to empower Ulster Lodge No. 59, of the Independent Order of

Odd Fellows of the State of New York, in the village of Saugerties and county of Ulster, to hold and convey real and personal estate, and constitute the same a corporation," and the same was ordered to a third reading.

On motion of Mr. Purdy, and by unanimous consent, the committee of the whole were discharged from the further consideration of the bill entitled "An act to incorporate St. Raymond's Cemetery of Westchester, in the State of New York," and the same was ordered to a third reading.

By unanimous consent,

Mr. Maher introduced a bill entitled "An act to amend chapter 374 of the Laws of 1866, entitled 'An act to amend chapter 356 of the Laws of 1837, entitled An act for the appointment of a harbor master for the port of Albany,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Also, a petition on the same subject, which was read and referred to the same committee.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Fish, Int. No. 762, entitled "An act supplemental to chapter 335 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

(Mr. Mitchell dissented.)

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Flecke, Int. No. 578, entitled "An act to provide for the retiring of policemen and firemen in the city and county of New York, and to provide employment for such retired policemen and firemen in certain positions in the courts and public departments of said city and county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Flecke, Int. No. 333, entitled "An act to amend chapter 335 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York, so far as relates to the department of buildings of the city of New York,'" reported in favor of the passage of the same, with amendments, the title amended so as to read "An act to amend chapter 335 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York, in relation to the department of buildings of the city of New York,'" which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Tabor, Int. No. 683, entitled "An act to amend chapter 75 of the Laws of 1876, entitled 'An act to amend chapter 94 of the Laws of 1875, entitled An act to further amend chapter 680 of the Laws of 1871, entitled An act in relation to the location and erection of public buildings for the use of Erie county, and the city of Buffalo; also, to amend chapter 680 of the Laws of 1871, entitled An act in relation to the location and erection of public buildings for the use of Erie county, and the city of Buffalo,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Stephenson, Int. No. 754, entitled "An act to further provide for an acting mayor in the city of Brooklyn," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Cowdin, Int. No. 715, entitled "An act to provide additional members of the board of commissioners of the sinking fund of the city of New York," reported the same for the consideration of the House.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Cowdin, Int. No. 716, entitled "An act to provide for the construction, repair and improvement of docks, wharves, slips and bulk-heads in the city of New York, and for the control and management of the same," reported the same for the consideration of the House.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill entitled "An act relating to the office of register of deeds in the city and county of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

(Messrs. Mitchell, McGroarty and Tabor dissented.)

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill entitled "An act to authorize the city of Troy to refund a portion of its bonded debt falling due in the fiscal years 1877 and 1878," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Leave of absence was granted to Messrs. Mitchell, Cozans and Gilbert until Wednesday next.

Mr. Speaker announced the appointment of Gilbert Schwartzman as page, to commence on Friday, March 16, 1877, in place of Howard Bailey, resigned.

On motion of Mr. Fish, at 1 o'clock and 20 minutes, the House adjourned.

## MONDAY, MARCH 19, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Clarke.

The journal of Friday, March 19, was read and approved.

The private secretary of his Excellency the Governor, appeared in the Assembly Chamber, and presented a communication in the words following :

STATE OF NEW YORK — EXECUTIVE CHAMBER, )  
ALBANY, March 19, 1877. }

*To the Assembly :*

I return, without approval, Assembly bill No. 27, entitled "An act for the relief of certain persons claiming to have acted as clerks and assistant clerks of the district courts in the city of New York."

In January, 1876, the justices of several of the district courts in the

city of New York, removed the clerks of their respective courts, and appointed others in their places. The power to make such removals and appointments was denied by the former incumbents, and judicial proceedings were at once taken, which finally resulted in judgments by the Court of Appeals, to the effect that the removals were illegal, that the clerks who had been removed were entitled to the offices and to the salaries provided therefor. In pursuance of these judgments the salaries have been paid, and the legal liability of the city has been fully discharged. The bill under consideration peremptorily requires the financial officers of the city also to pay the clerks, who were unlawfully appointed, for their services during the pendency of the litigation instituted to test the validity of their appointment. On behalf of the city, objections are made to the bill which seem to me insurmountable.

Article 8, section 11 of the Constitution, provides that: "No county, city, town or village shall hereafter give any money or property, or loan its money or credit to or in aid of any individual, association or corporation." This bill requires the city of New York to give its money to private individuals who have not, and do not claim to have any legal right to it. If they had any such right, they could, of course, enforce it in the courts, and would not be before the Legislature asking it to compel the city to make this gift. The bill is, therefore, in direct conflict with the constitutional provision above cited.

It is claimed that there are equities in favor of the men who were the *de facto* clerks during the litigation, and that it will be a hardship for them to lose their pay. If this were true, the answer to it is that the Constitution makes no provision for such hardships. It does not, however, appear to be true to the extent claimed. These men knew from the beginning that their title to the office was disputed, and during every day of their service they knew that they were trying an experiment, and were liable to be defeated, as all other parties are who are engaged in litigation. They were under no obligation to accept the appointments, nor to hold the offices for a day. They might have resigned at any time. They chose voluntarily to accept the offices and to take the risk of the litigation in which their choice involved them. It is too much for them now to ask that they shall be relieved from the risk they took, and that the city shall be treated as an insurer of their success in the litigation and be compelled to pay their losses. It would be contrary to established principles of law and against public policy. It would furnish a bad precedent and encourage usurpation of office and future litigation.

There are other provisions of the Constitution which seem to be infringed in spirit, if not in letter, by this bill. Section 9, article 1, is as follows: "The assent of two-thirds of the members elected to each branch of the Legislature shall be requisite to every bill appropriating the public moneys or property for local or private purposes." This bill was passed by a majority and not by two-thirds of the members of each house. It is said, in answer to this objection, that the term "public moneys" should be construed to mean moneys in the State treasury. There is nothing in the Constitution which indicates that the meaning of the term should be thus limited, and certainly no reason can be given for holding that the moneys in the city treasury are not, in every respect, as much public moneys as those in the State treasury.

Section 24 of article 3 is: "The Legislature shall not, nor shall the common council of any city, nor any board of supervisors, grant any

extra compensation to any public officer, servant, agent or contractor." It is not claimed that this section applies specifically to the provisions of the bill under consideration; but it does illustrate the spirit of the fundamental law and the sedulous care with which it guards the public moneys, both of State and cities, from appropriation to persons to whom there is no legal liability. It will be of evil example if, at a time when every possible effort is demanded to reduce the load of local taxation, the city of New York is forced to pay double salaries for one service. The State cannot afford to be unjust to the people in their aggregate any more than in their individual capacity.

L. ROBINSON.

Mr. Alvord moved that the message of his Excellency the Governor, be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. J. S. Graham called from the table the report of the sub-committee of the whole in favor of the passage of the bills entitled as follows:

G. O. 125, No. 147, "An act authorizing the trustees of the village of Ballston Spa to issue bonds, to be known as extended water bonds, to pay a portion of the water bonds now outstanding of said village, maturing in the year 1877, and thereafter."

G. O. 89, No. 119, "An act to legalize and confirm the proceedings of the board of trustees of the village of Andes, in the county of Delaware, in relation to the purchase of hydrants for the use of said village, and the creation of a debt for that purpose, and to provide for the payment thereof."

G. O. 83, No. 113, "An act to amend chapter 335 of the Laws of 1871, entitled 'An act to authorize the appointment of a person to be public administrator in the county of Kings, and to determine the powers and duties of such officer.'"

Senate, G. O. 268, No. 95, "An act to amend chapter 361 of the Laws of 1862, entitled 'An act to facilitate the dissolution of manufacturing corporations in the county of Herkimer, and to secure the payment of their debts without preference.'"

Said report was agreed to, and said bills ordered to a third reading.

Mr. J. S. Graham called from the table the report of the sub-committee of the whole in favor of the passage of the bills entitled as follows:

G. O. 63, No. 93, "An act regulating the practice in the surrogate's court of the county of New York, respecting testimony taken in contested matters, and as to the issue of letters of guardianship to testamentary guardians."

G. O. 293, No. 285, "An act to incorporate the Horseheads fire department."

G. O. 160, No. 174, "An act to authorize a recovery at law for certain printing done for, and stationery furnished to the boards of aldermen and assistant aldermen in the city of New York." [With an amendment.]

G. O. 97, No. 125, "An act to provide for making, to the New York Infirmary for Women and Children, the same allowances and payments for the care and maintenance of lying-in and nursing women, as are now provided by law for the New York Infant Asylum." [With amendments.]

G. O. 272, No. 270, "An act in relation to proceedings in surrogates' courts." [With an amendment.]

Senate, G. O. 226, No. 100, "An act further to amend chapter 692 of the Laws of 1866, entitled 'An act to amend an act fixing the fees of justices of the peace and constables in civil and criminal cases, and the fees of jurors and witnesses in justices' courts, and for other purposes.'"

G. O. 189, No. 203, "An act to legalize the acts of Charles C. Wakeley as notary public."

Senate, G. O. 270, No. 99, "An act to amend chapter 559 of the Laws of 1864, entitled 'An act to amend the act entitled An act to provide for the incorporation of villages,' passed December 7, 1847, so far as relates to the village of Corning, in the county of Steuben."

G. O. 178, No. 192, "An act to amend sections 1 and 6 of chapter 280 of the Laws of 1845, entitled 'An act for the publication of the Session Laws in two newspapers in each county of the State,' passed May 14, 1845." [With amendments.]

G. O. 134, No. 150, "An act to create a board of assessors in and for the city of Utica." [With amendments.]

G. O. 275, No. 273, "An act further to amend chapter 450 of the Laws of 1847, entitled 'An act requiring compensation for causing a default, as amended by chapter 78 of the Laws of 1870.'"

Senate, G. O. 228, No. 28, "An act to legalize and confirm the official acts of Oliver G. Steele, Howard H. Baker and Edward L. Stevenson, as real estate commissioners of the Young Men's Association of the city of Buffalo."

G. O. 294, No. 286, "An act to amend chapter 224, Laws of 1872, entitled 'An act to amend an act entitled An act to consolidate and amend the several acts relating to the village of Watkins, and to enlarge the powers of the corporation of said village,' passed April 3, 1861, passed April 12, 1872."

G. O. 109, No. 136, "An act to amend chapter 156 of the Laws of 1852, entitled 'An act to amend an act entitled An act to provide for the establishment of free schools in the village of Newburgh,' passed April 6, 1852, passed March 7, 1865."

Senate, G. O. 279, No. 38, "An act to provide for the better administration of justice in the town of Watervliet, in the county of Albany."

Senate, G. O. 248, No. 87, "An act authorizing the board of trustees of the village of West Troy to contract for a supply of water for public purposes."

G. O. 182, No. 196, "An act to amend chapter 101 of the Laws of 1862, entitled 'An act in relation to the support and custody of indigent insane persons of the county of Genesee.'"

G. O. 261, No. 260, "An act in relation to countersigning warrants for payments from the treasury of the city of New York."

G. O. 188, No. 202, "An act to incorporate the fire department of the village of Plattsburgh."

G. O. 204, No. 213, "An act to amend section 23 of chapter 10 of the Laws of 1859, entitled 'An act to amend an act entitled An act to revise, amend and consolidate the several acts relating to the village of Whitesborough,' passed February 12, 1859, as amended by chapter 304 of the Laws of 1873."

Said report was agreed to, and said bills ordered to a third reading.

By unanimous consent,

Mr. Alvord introduced a bill entitled "An act to prevent fraud in manufacture and sale of commercial fertilizers," which was read the first



time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. E. Case introduced a bill entitled "An act in relation to the American Board of Commissioners for Foreign Missions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent,

Mr. Gilbert, from the committee on railroads, to which was referred the bill introduced by Mr. Gallagher, Int. No. 741, entitled "An act to amend an act entitled 'An act relating to fares for carrying passengers on street railroads in the city of Buffalo,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Tighe introduced a bill entitled "An act to regulate the quantity and supply and price of illuminating gas in the State of New York, and for the protection of manufacturers and consumers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

By unanimous consent,

Mr. Ruggles introduced a bill entitled "An act to provide for security for costs in certain actions at law and prevent malicious litigation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Langbein introduced a bill entitled "An act for the further protection of male employes in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Smith introduced a bill entitled "An act for the relief of Charles R. Hoesslie and Caroline Hackett and Margaritha Hoesslie deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

Mr. Speaker announced the special order of the day, being the bill entitled "An act making appropriation for certain expenses of government and supplying deficiencies in former appropriations."

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act making appropriation for certain expenses of government and supplying deficiencies in former appropriations."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Braman, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Husted moved that said bill be made a special order for to-morrow morning immediately after the reading of the journal, and that the session commence at ten o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Alvord offered for the consideration of the House a resolution, in the words following:

*Resolved*, That upon the consideration of special orders, either in com-

mittee of the whole or in the House, no member shall speak longer than five minutes upon any one question without the consent of the committee or the House.

Mr. Strahan moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

{ AYES 52 }  
{ NOES 21 }

Those who voted in the affirmative, were

Alvord	Cowdin	Langbein	Skillman
Baker	Dillmeier	McFalls	Skinner
S. Baldwin	Fay	McGraw	Smith
M. L. Baldwin	Fish	McKee	Stephenson
Barnes	Floyd-Jones	Moody	Stone
Billings	Gere	Moore	Strahan
Billington	Gulick	Noyes	Suydam
Braman	Hammond	Peck	Taylor
T. A. Case	Hayes	Post	Thistlethwaite
Clapp	Herbst	Potter	Valentine
Clark	Hodges	Ruggles	Waddell
Corbett	Husted	Santee	Webb
Corsa	Lang	Sheldon	Wickes

Those who voted in the negative, were

Bissell	Hamilton	Nachtmann	Shanley
Bradley	Herrick	O'Hare	Spinola
Brill	Holahan	Piper	Stein
Childs	Lyon	Purdy	Tighe
Ecclesine	Maynard	Sanders	Welsh
Grady			

Mr. Speaker then put the question whether the House would agree to said resolution.

While the roll was being called, Mr. O'Hare raised the point of order that there was no quorum present.

Mr. Speaker directed the Clerk to call the roll and ascertain if a quorum was present, when the following members answered to their names:

Alvord	Fay	Longyear	Sheldon
Baker	Fish	McFalls	Skillman
S. Baldwin	Floyd-Jones	McGraw	Skinner
M. L. Baldwin	Gere	McKee	Smith
Barnes	J. G. Graham	Moody	Speaker
Berrigan	J. S. Graham	Moore	Spinola
Billings	Gulick	Noyes	Stephenson
Billington	Hamilton	O'Hare	Stone
Bissell	Hammond	Peck	Strahan
Braman	Hayes	Piper	Suydam
Brill	Herrick	Post	Taylor
T. A. Case	Herbst	Potter	Thistlethwaite
Clark	Hodges	W. L. Rockwell	Tighe
Corbett	Holahan	Ruggles	Valentine
Corsa	Husted	Sanders	Webb

Cowdin  
Dillmeier  
Ecclesine

Lang  
Langbein

Santee  
Shanley

Welsh  
Wickes

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A quorum of members having answered to their names, Mr. O'Hare challenged the tally of the Clerk and moved the appointment of tellers.

Mr. Alvord moved that the motion of Mr. O'Hare be laid on the table.

Mr. Grady raised the point of order that the motion of Mr. Alvord was out of order.

Mr. Speaker ruled the point of order not well taken.

Mr. Grady appealed from the decision of the chair.

Mr. Speaker put the question "Shall the decision of the chair stand as the judgment of the House?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Alvord to lay on the table, and it was determined in the affirmative.

Mr. Speaker directed the Clerk to resume the call of the roll on the adoption of the resolution offered by Mr. Alvord, and it was determined in the affirmative.

{ AYES 52 }  
{ NOES 16 }

Those who voted in the affirmative, were

Alvord	Cowdin	McFalls	Skillman
Baker	Fay	McGraw	Skinner
S. Baldwin	Fish	McKee	Smith
M. L. Baldwin	Gere	Moody	Speaker
Barnes	Gulick	Moore	Stephenson
Billings	Hammond	Noyes	Stone
Billington	Hayes	Peck	Strahan
Braman	Healy	Post	Suydam
T. A. Case	Herbst	Potter	Taylor
Clapp	Hodges	Ruggles	Thistlethwaite
Clark	Husted	Sanders	Valentine
Corbett	Langbein	Santee	Webb
Corsa	Longyear	Sheldon	Wickes

Those who voted in the negative, were

Berrigan	Childs	Herrick	Piper
Bissell	Ecclesine	Holahan	Purdy
Brill	Floyd-Jones	Maynard	Spinola
Bulmer	Hamilton	O'Hare	Welsh

Leave of absence was granted to Mr. Marvin until Wednesday evening.

Mr. O'Hare moved to reconsider the vote by which the resolution of Mr. Alvord was adopted, and that that motion be laid on the table.

Mr. Husted moved that the House do now adjourn.

Whereupon, at 11 o'clock and 5 minutes, the House adjourned.

## TUESDAY, MARCH 20, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Reese.

The journal of yesterday was read and approved.

Leave of absence was granted to Messrs. Gilbert and G. M. Case until to-morrow morning.

Mr. Speaker directed the Clerk to call the roll, to ascertain if a quorum was present, when the following members answered to their names :

Alvord	Davenport	Maynard	Shannon
Backenstose	Dillmeier	McFalls	Sheldon
S. Baldwin	Dimond	McGraw	Skillman
Barnes	Ecclesine	McGroarty	Smith
Billings	Gallagher	McKee	Speaker
Billington	Galvin	Moller	Spinola
Bissell	J. S. Graham	Moore	Stein
Bowen	Gulick	Morey	Stone
Bradley	Hamilton	Neilson	Suydam
Braman	Hammond	Orr	Tabor
Brick	Hayes	Peck	Taylor
Brill	Hepburn	Post	Thistlethwaite
J. S. Brown	Herrick	Potter	Tighe
E. Case	Herbst	Purdy	Valentine
T. A. Case	Hodges	Rice	Waddell
Childs	Humphrey	H. H. Rockwell	Webb
Clapp	King	W. L. Rockwell	Welsh
Clark	Langbein	Rooney	Wickes
Corbett	Langner	Sanders	Williams
Cozans	Maher	Santee	Winch

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A quorum having answered to their names,

Mr. Alvord moved to lay the special order on the table for the purpose of taking up the orders of business of introduction of bills and reports of committees.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The privileges of the floor were granted to Hon. Jonathan Ogden.

By unanimous consent,

Mr. Langner introduced a bill entitled "An act to provide for advertising for and purchasing various supplies for the use of the Erie county poor-house and penitentiary," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent,

Also, a bill entitled "An act consolidating the several excise laws and making a uniform law for the suppression of intemperance, and regulating the sale of intoxicating liquors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent,

Mr. Hepburn introduced a bill entitled "An act to release the interest of the people of the State of New York in certain real estate in the town of Colton, St. Lawrence county, New York, to Samuel C. Curtis," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

Also, a petition on the same subject, which was read and referred to the same committee.

By unanimous consent,

Mr. Brill introduced a bill entitled "An act for the preservation of fish and shell-fish in the town of Smithtown, county of Suffolk, State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

By unanimous consent,

Mr. Waddell introduced a bill entitled "An act to amend chapter 482 of the Laws of 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent,

Mr. Purdy introduced a bill entitled "An act to regulate the manufacturing of gunpowder, nitro-glycerine, giant powder, gun-cotton and other explosives," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

By unanimous consent,

Mr. Orr introduced a bill entitled "An act to incorporate the Wales Rural Cemetery," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent,

Mr. Suydam introduced a bill entitled "An act to secure uniform taxation of real estate in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

By unanimous consent,

Mr. McGroarty introduced a bill entitled "An act to amend chapter 583 of the Laws of 1874, entitled 'An act to lay out and improve a public highway or avenue and concourse in continuation of a public highway or avenue heretofore laid out from Prospect Park, in the city of Brooklyn, towards Coney Island, in the county of Kings, as amended by chapter 489 of the Laws of 1875,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. J. S. Graham introduced a bill entitled "An act to repeal sections 2, 3, 4, 5 and 6 of chapter 564 of the Laws of 1875, entitled 'An act to amend chapter 122 of the Laws of 1851, entitled 'An act for the incorporation of building, mutual loan and accumulating fund associations,' passed June 9, 1875,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Messrs. Billings, Orr, W. L. Rockwell, Post and Wickes presented petitions relating to the levying of taxes upon all the property in the

State; which were read and referred to the committee on ways and means.

Mr. Ruggles presented a petition of citizens of Steuben county for a reduction of the salary of the county judge of Steuben county; which was read and referred to the committee on internal affairs.

Mr. Thistlethwaite presented a petition of the bar of Wayne county in favor of the passage of the Code of Remedial Justice; which was read and referred to the committee on the judiciary.

Mr. Sheldon presented a petition of lawyers of Norwich, Chenango county, for the repeal of the Code of Remedial Justice; which was read and referred to the committee on the judiciary.

Mr. McKee presented a petition for the preservation of wild deer in the north woods; which was read and referred to the committee on game laws.

Mr. Hayes presented a petition of the Friends Temperance Union against the sale of intoxicating liquors; which was read and referred to the committee on internal affairs.

Mr. J. S. Graham presented a petition of citizens of Rochester for the repeal of chapter 45 and 46 of the Laws of 1875; which was read and referred to the committee on the judiciary.

Mr. Bradley presented three petitions for repeal of the Queens county railroad acts; which were read and referred to the committee of the whole.

Mr. Stephenson presented eight petitions on the same subject; which were read and referred to the committee of the whole.

Mr. Speaker presented a memorial of the bar association of the city of New York relating to the Code of Remedial Justice; which was read and referred to the committee on the judiciary.

Mr. J. G. Graham presented a petition of citizens of Orange county for repeal of act as to town auditors; which was read and referred to the committee on the judiciary.

Also, a remonstrance of physicians of Middletown against proposed act relating to public health; which was read and referred to the committee on public health.

The Senate returned the bill entitled as follows:

"An act to extend the corporate existence and charter of the Glen Cove Mutual Insurance Company."

*Ordered*, That the Clerk deliver said bill to the Governor.

Mr. Tighe called from the table the report of the committee on general laws in the words following:

"Mr. Lang, from the committee on general laws, to which was referred the bill introduced by Mr. Tighe, Int. No. 479, entitled 'An act relating to assessment for repairing and repaving between railroad tracks in any town or city in this State,' asked to be discharged from the further consideration of the same and that it be referred to the committee on railroads."

Mr. Speaker put the question whether the House would grant said request, and it was determined in the affirmative.

Mr. Tighe called from the table the report of the committee on general laws in the words following:

"Mr. Lang, from the committee on general laws, to which was referred the bill introduced by Mr. Tighe, Int. No. 219, entitled 'An act for the protection of passengers,' asked to be discharged from the further con-

sideration of the same and that it be referred to the committee on rail-roads."

Mr. Speaker put the question whether the House would grant said request, and it was determined in the affirmative.

Mr. Brill offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the adverse report of the committee on commerce and navigation, in reference to the bill introduced by Mr. Brill, entitled "An act to prevent and punish the unlawful taking and carrying away of sand or earth from lands or shores above ordinary high water-mark in the town of Huntington, Suffolk county," be taken from the table, and that the said bill be recommitted to the committee on commerce and navigation.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Webb, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Brill, Int. No. 615, entitled "An act to prevent and punish the unlawful taking and carrying away of sand or earth from lands or shores above ordinary high-water mark in the town of Huntington, Suffolk county," reported adversely thereto.

Mr. Brill moved to disagree with the report of the committee, and that said bill be recommitted to the committee on commerce and navigation.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Billings, from the committee on expenditures of the House, to which was referred the resolution introduced by Mr. Suydam, relative to appointment of an additional doorkeeper, reported in favor of the adoption of the following resolution:

*Whereas*, The partition on the south side of the Assembly Chamber having been removed, it makes it necessary, for the convenience of the members, to have an additional doorkeeper for the door leading into the wrapping department of the Assembly; therefore, be it

*Resolved*, That Charles A. Pavie be, and he is hereby appointed as assistant doorkeeper of the present Assembly at the same compensation as those appointed by the Speaker, pay to begin from date of appointment.

Mr. Webb moved to amend said resolution by striking out the name of "Charles A. Pavie," and inserting in lieu thereof the name of "Ezra L. Morehouse."

Mr. J. S. Brown moved to lay said resolution and amendment on the table.

Mr. Speaker put the question whether the House would agree to said motion of Mr. J. S. Brown, and it was determined in the negative.

Mr. Husted moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Webb, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative.

{ AYES 68 }  
{ NOES 14 }

Those who voted in the affirmative, were

Alvord	Dimond	King	Rooney
Backenstose	Ecclesine	Langbein	Ruggles
S. Baldwin	Fay	Langner	Sager
Barnes	Fish	Lyon	Sanders
Billington	Flecke	Maher	Shanley
Bissell	Gallagher	Marvin	Shannon
Bowen	Galvin	Maynard	Skillman
Bradley	J. S. Graham	McFalls	Stein
Braman	Gulick	McGroarty	Stephenson
Brick	Hamilton	Morey	Stone
Brill	Hayes	Nachtmann	Suydam
T. A. Case	Healy	Orr	Tabor
Childs	Hepburn	Piper	Taylor
Cozans	Herrick	Proper	Tighe
Crowley	Herbst	Rice	Waddell
Davenport	Hodges	H. H. Rockwell	Webb
Dillmeier	Holahan	W. L. Rockwell	Wemple

Those who voted in the negative, were

Billings	Hogeboom	Post	Smith
J. S. Brown	McGraw	Potter	Thistlethwaite
E. Case	Moore	Sheldon	Valentine
Corbett	Peck		

Mr. Spinola stated that had he voted, it was his intention to have voted in the negative.

Mr. Hepburn offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the committee on charitable and religious societies be discharged from the further consideration of the bill entitled "An act to provide for the dissolution of charitable and benevolent incorporated societies," and that the same be referred to the committee on general laws.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Purdy made a minority report from the committee on civil divisions, relative to an act to erect a new county; which was laid on the table and ordered printed.

(See Doc. No. 79.)

Mr. J. S. Brown, from the committee on game laws, to which was referred the bill introduced by Mr. McFalls, Int. No. 249, entitled "An act to amend an act entitled 'An act to amend chapter 739 of the Laws of 1873, entitled An act for the preservation of fish in the River St. Lawrence,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Bowen, Int. No. 632, entitled "An act to authorize the Commissioners of the Land Office to sell and convey lands in Clinton county," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.



Mr. Speaker announced the special order of the day, being the bill entitled "An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations."

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Braman, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Husted moved to make said bill a special order for to-morrow morning, immediately after the reading of the journal, and that the House convene at 10 o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Husted introduced a bill entitled "An act to amend chapter 272 of the Laws of 1864, entitled 'An act to incorporate the trustees of the Masonic Hall and Asylum Fund,' passed April 21, 1864," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

By unanimous consent,

Mr. Post introduced a bill entitled "An act in relation to suits by and against towns," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Hepburn, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Floyd-Jones, Int. No. 630, entitled "An act to incorporate the Cathedral of the Incarnation, in the diocese of Long Island," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hepburn, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Maynard, Int. No. 699, entitled "An act to amend section 1 of chapter 803 of the Laws of 1868, entitled 'An act to amend the acts to provide for the incorporation of religious societies, so far as the same relate to the Protestant Episcopal church,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hepburn, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Moller, Int. No. 588, entitled "An act to amend chapter 68 of the Laws of 1871, entitled 'An act for the incorporation of private and family cemeteries,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Marvin introduced a bill entitled "An act to amend an act entitled 'An act to provide for the better care of pauper and destitute children,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent,

Mr. J. G. Graham introduced a bill entitled "An act defining the duty

of town assessors and collectors in towns of this State, where the jurisdiction of the United States has been ceded for military purposes over a limited district therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Spinola, at 2 o'clock, the House took a recess until 7½ o'clock P. M.

### HALF-PAST SEVEN O'CLOCK.

The House again met.

By unanimous consent,

Mr. Alvord introduced a bill entitled "An act to amend chapter 178 of the Laws of 1847, entitled 'An act to provide for the distribution of the annuity due to the Onondaga Indians,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Also, two petitions on the same subject, which were read and referred to the same committee.

The privileges of the floor were granted to Hon. Mr. Pearsall, formerly a member of this House.

By unanimous consent,

Mr. Sliter introduced a bill entitled "An act in relation to assessments for highway labor in the town of Schodack, in the county of Rensselaer," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Lang presented a petition of attorneys of Ogdensburg, for repeal of the Code of Remedial Justice; which was read and referred to the committee of conference on appropriation bill.

Mr. Speaker directed the Clerk to call the roll, to ascertain if a quorum was present, when the following members answered to their names :

Alvord	Dimond	Langner	Santee
Backenstose	Ecclesine	Lyon	Shannon
Baker	Filkin	Maher	Skillman
Billings	Fish	Maynard	Sliter
Bissell	Flecke	McFalls	Speaker
Bowen	Floyd-Jones	McKee	Spinola
Braman	Gallagher	Moller	Stein
Brick	Galvin	Moody	Stephenson
Brill	Grady	Moore	Suydam
J. S. Brown	Gulick	Morey	Taylor
T. A. Case	Hamilton	Nachtmann	Thistlethwaite
Childs	Hayes	Neilson	Tighe
Clapp	Healy	Piper	Valentine
Clark	Herbst	Post	Waddell
Corbett	Hodges	Potter	Webb
Coulter	Holahan	Rice	Weiant
Cowdin	Husted	H. H. Rockwell	Wickes
Cozans	King	W. L. Rockwell	Williams
Davenport	Lang	Sager	Winch
Dillmeier	Langbein	Sanders	

A quorum having been found to be present,

Mr. Speaker announced the special order of the day, being the bill entitled "An act to secure better public administration within the city and county of New York."

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act to secure better public administration within the city and county of New York."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Lang, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Fish moved to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered to a third reading, with the amendments adopted in committee of the whole.

Mr. Husted moved to amend by inserting at the end of resolution, after the word "apportionment," in section 40; line 6, the words "shall hereafter consist of the mayor of the city of New York and the comptroller of said city and of three discreet, reputable persons, who shall be known as commissioners of apportionment, and shall be citizens and tax-payers in said city; which said three commissioners shall be appointed by the recorder of the city of New York, and shall hold their office for five years from the date of their appointment and until others are appointed in their stead. They shall receive no compensation for their services. In case of a vacancy in the office of either of said commissioners, the same shall be filled, within ten days from the occurrence of said vacancy, by the said recorder for the remainder of the unexpired term, and said board." Said amendment having been offered in committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Husted, and it was determined in the negative.

{ AYES 29 }  
{ NOES 43 }

Those who voted in the affirmative, were

Alvord	Gulick	McKee	Smith
Baker	Hayes	Moore	Strahan
Braman	Husted	Morey	Suydam
E. Case	King	O'Hare	Valentine
T. A. Case	Lang	Peck	Waddell
Clapp	Marvin	Post	Wickes
Clark	McGraw	Shannon	Winch
Cowdin			

Those who voted in the negative, were

Benedict	Cozans	Maynard	Sanders
Berrigan	Crowley	McFalls	Shanley
Billington	Dillmeier	McGroarty	Sheldon
Bissell	Ecclesine	Mitchell	Spinola
Bradley	Fish	Moller	Stein
Brick	Flecke	Nachtmann	Stephenson
J. H. Brown	Floyd-Jones	Neilson	Stone
Bulmer	Grady	Purdy	Tighe
Burns	Healy	Rice	Webb
Childs	Holahan	H. H. Rookwell	Wemple
Corsa	Langbein	Rooney	

Mr. Mitchell moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Fish, and it was determined in the affirmative.

Said bill was ordered engrossed for a third reading.

Mr. Alvord offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the concurrent resolutions now lying upon the table and relating to the printing of the following named reports, be taken from the table and referred to the committee on public printing, to wit: Tenth annual report of the State Board of Charities; eighth annual report of the New York State Blind Asylum at Batavia; eighth annual report of the trustees of the Willard Asylum; annual report of board of managers of the Elmira reformatory; annual report of the State Treasurer; annual report of the Commissioners of Fisheries of the State of New York; report of commission to devise a plan for the government of cities; report of the State Engineer and Surveyor relating to railroads; report of the State Superintendent of Insurance.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Fish moved that the House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon, at 12 o'clock, the House adjourned.

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### WEDNESDAY, MARCH 21, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Reese.

The journal of yesterday was read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to provide for the appointment of an additional number of notaries public, which was read the first time, and by unanimous consent was also read the second time, when,

On motion of Mr. Alvord, and by unanimous consent, said bill was ordered to a third reading.

"An act further to amend chapter 569 of the Laws of 1870, entitled 'An act to authorize the sale of lands belonging to and occupied by the Seaman's Retreat, on Staten Island,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to provide for the reduction of the number of directors in fire and marine insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act to authorize the appointment of an additional assistant physician for the Willard Asylum for the Insane," which was read the

first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act in relation to the powers and duties of the State Commissioner in Lunacy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act further to amend chapter 510 of the Laws of 1869, entitled 'An act to amend an act entitled An act to amend an act entitled An act to incorporate the village of Flushing, passed April 15, 1837, and the several acts amendatory thereof,' passed March 20, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act in relation to the names of insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act to release to Margery Farren the right, title and interest of the people of the State of New York in and to certain real estate in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

"An act to confirm the title of certain persons to real estate questioned by reason of alienage of former owners," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

"An act to empower the board of education of the educational district of Seneca Falls to appoint an assessor for such district," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

"An act further to amend chapter 106 of the Laws of 1865, entitled 'An act to incorporate the New York Infant Asylum,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act in relation to a fund or property proceeding from the trustees for the Society of United Christian Friends, in the city of New York, a religious corporation, or from the congregation or society of said corporation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to repeal sections 3, 4, 5, 6 and 8 of chapter 392 of the Laws of 1873, entitled 'An act for the relief of the Corning library,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act to amend chapter 358 of the Laws of 1863, entitled 'An act establishing a quarantine, and defining the qualifications, duties and powers of the health officer for the harbor and port of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

"An act to amend chapter 564 of the Laws of 1872, entitled 'An act to amend the charter of the village of Carthage, Jefferson county,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to amend chapter 159 of the Laws of 1873, entitled 'An act authorizing the election of a police justice in the town of Newtown, Queens county, and prescribing his duties and compensation,'" which

was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act relating to the payment of assessments for local improvements in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to review assessments in the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to repeal chapter 74 of the Laws of 1866, entitled 'An act to create a metropolitan sanitary district and board of health therein, for the preservation of life and health, and to prevent the spread of disease,' so far as relates to Queens county, and to provide for the appointment of boards of health in the several towns of Newtown, Flushing and Jamaica, in said county, and defining their powers and duties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

A message from the Senate was received and read, informing of concurrence in the passage of the bills entitled as follows:

"An act to provide for the superintendent of the poor of the county of Otsego to be the keeper of the poor-house of said county."

"An act to authorize a tax of one-third of a mill per dollar of valuation to provide for a deficiency in the sinking fund, under section 3 of article 7 of the Constitution."

"An act to provide for the completion of the court-house in the third judicial district in the city of New York."

"An act to amend the charter of the Watertown Fire Insurance Company, organized under the general act to incorporate fire insurance companies, December 7, 1867."

*Ordered*, That the Clerk deliver said bills to the Governor.

By unanimous consent,

Mr. Moller introduced a bill entitled "An act to amend chapter 611 of the Laws of 1869, entitled 'An act to incorporate the village of West Mount Vernon, county of Westchester,' passed May 5, 1869," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Floyd-Jones asked leave of absence for the members of the committee on insurance, which was granted.

By unanimous consent,

Mr. Bulmer introduced a bill entitled "An act to authorize the erection of a city hall in and for Long Island City, and to provide for the expense of the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Also, a bill entitled "An act to provide for the improvement of Flushing avenue, in Long Island City," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Noyes introduced a bill entitled "An act authorizing the trustees of the village of Saratoga Springs to make certain expenditures for the purpose of purchasing hose and erecting a fire alarm telegraph," which

was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

The privileges of the floor were granted to the Hon. Arphax Loomis.

Mr. Ruggles presented a petition of citizens and tax-payers of Hornellsville, Steuben county, for an act reducing the salary of the county judge of Steuben county; which was read and referred to the committee on the judiciary.

Mr. Rice presented a petition of railroad commissioners and a director of Black River and Morristown Railroad Company, for an act authorizing the Utica and Black River Railroad Company to charge and collect uniform rate of passenger fare; which was read and referred to the committee on railroads.

Also, a remonstrance of forty-nine inhabitants of Delaware county against repeal of civil damage act; which was read and referred to the committee on internal affairs.

Mr. Maynard presented a remonstrance of citizens of Delaware county against the passage of act in relation to the Charlotte Turnpike Company; which was committed to the committee of the whole.

Mr. Williams offered for the consideration of the House, a resolution, in the words following:

*Whereas*, Under chapter 176 of the Laws of 1859, the accounts of the veteran militia of this State in the service of the United States during the war of 1812, were adjudicated; and,

*Whereas*, There are still remaining unpaid a large number of certificates, representing said accounts, which are justly due and payable to this patriotic band, or their legal representatives; and,

*Whereas*, It is claimed that the State is not legally bound to advance any more money to pay said certificates; therefore,

*Resolved* (if the Senate concur), That the Adjutant-General of this State be respectfully requested to urge upon the general government its moral and equitable obligation to place in the treasury of this State, sufficient funds to pay said outstanding certificates, as well as the amount advanced by this State in payment of a part of said certificates, and the amount disbursed by this State in adjudicating said accounts.

On motion of Mr. Alvord, and by unanimous consent, said resolution was adopted.

The privileges of the floor were granted to Hons. Thos. Hollahan and Jas. J. Stebbins.

By unanimous consent,

Mr. Healy introduced a bill entitled "An act relating to the paving, repaving and repairing of streets, avenues and highways in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Welsh, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend and make additions to chapter 463 of the Laws of 1860, entitled 'An act to revise the charter of the city of Oswego,' and the acts amendatory thereof."

"An act to amend chapter 44 of the Laws of 1828, entitled 'An act relative to the common school fund of Edmeston, in the county of Otsego.'"

"An act to confirm the election of trustees in the village of North

Tonawanda, in the county of Niagara, and to provide for their election hereafter."

"An act to amend chapter 497 of the Laws of 1870, entitled 'An act to establish a police force in the county of Richmond.'"

"An act to amend an act entitled 'An act establishing a ferry from Barber's Point, in the town of Westport, in the county of Essex, across Lake Champlain, and to repeal chapter 495 of the Laws of 1871,' passed May 1, 1872."

"An act to incorporate the Veteran Guard of the city of New York."

"An act to amend chapter 395 of the Laws of 1859, entitled 'An act in relation to the colonial history of the State, and the natural history thereof.'"

"An act to amend an act to amend the charter of the city of Brooklyn, and the various amendments thereof, passed June 28, 1873, and to further amend the charter of the city of Brooklyn, as amended by an act passed June 1, 1874, and as further amended by an act for that purpose, entitled 'An act to amend the charter of the city of Brooklyn, being the act for that purpose passed June 28, 1873, and the act for that purpose passed June 1 1874,' passed June 21, 1875, and as further amended by an act for that purpose entitled 'An act to amend section 23, title 2 of the amended charter of the city of Brooklyn,' passed June 28, 1873, passed May 15, 1876."

"An act for the relief of the Kips Bay Methodist Episcopal church."

"An act to repeal certain provisions of chapter 4 of the Laws of 1862, entitled 'An act to secure the better application of funds to relieve the poor in the town of Little Falls, Herkimer county.'"

"An act supplementary to chapter 273 of the Laws of 1866, entitled 'An act authorizing the incorporation of associations to erect monuments to perpetuate the memory of soldiers who fell in defense of the Union,' passed March 30, 1866."

"An act to release the right, title and interest of the people of the State of New York in and to the proceeds of sale of certain real estate in the town of Middletown, county of Richmond, to Phillipena Schworm, widow of Bernard Schworm, deceased."

"An act to amend chapter 767 of the Laws of 1872, entitled 'An act to establish the compensation of county judges and surrogates, pursuant to the fifteenth section of the amended sixth article of the Constitution.'"

"An act to authorize the payment of certain moneys out of the State treasury to the heirs at law of Maria Brilmayer, deceased."

"An act in relation to the keeping open of the office of the clerk of the county of Schenectady."

"An act to amend section 50 of article 3, title 1 of chapter 16 of the first part of the Revised Statutes, in relation to highways, amended by chapter 791 of the Laws of 1868, and by chapter 461 of the Laws of 1870."

"An act further to amend chapter 338 of the Laws of 1875, entitled 'An act to amend an act entitled 'An act for the relief of the surviving members of the First Regiment of New York Volunteers who served in the war with Mexico.'"

"An act to authorize the common council of the city of Watertown to cancel and annul a bond executed and delivered to the city of Watertown by Byron D. Adsit, with sureties, dated January 6, 1874, and to release and discharge the said Byron D. Adsit and his sureties from all liability thereon."



"An act to amend chapter 284 of the Laws of 1817, entitled 'An act to incorporate the members of the New York Institution for the Instruction of the Deaf and Dumb, with amendments thereto.'"

"An act extending the time for the organization of the New York Loan and Security Company."

"An act to amend chapter 395 of the Laws of 1873, entitled 'An act to alter the system of repairing the highways.'"

"An act further to amend chapter 280 of the Laws of 1852, entitled 'An act further to amend the act entitled An act authorizing the incorporation of rural cemetery associations,' passed April 27, 1847."

"An act to amend chapter 370 of the Laws of 1873, entitled 'An act to revise and amend an act entitled An act to incorporate the village of Port Jervis, passed March 13, 1866, and all acts relating thereto,' passed May 1, 1873."

"An act additional to chapter 370 of the Laws of 1872, entitled 'An act to amend an act relating to the rates of wharfage on canal boats, and to regulate piers, wharves, bulk-heads and slips, in the cities of New York and Brooklyn,' passed May 6, 1870."

"An act to enable the city of Brooklyn to acquire certain lands lying in Atlantic avenue, decided to be the property of the heirs of John Cowenhoven."

"An act respecting the power of the Union Home and School for the education and maintenance of the children of our volunteers who are left unprovided for, to take and hold real and personal estate."

"An act to amend chapter 329 of the Laws of 1871, being an act to amend chapter 800 of the Session Laws of 1866, relative to the taking of lands for the erection of school-houses, or making additions thereto."

"An act to incorporate the Horseheads Fire Department."

"An act entitled an act to authorize a recovery at law for certain printing done for, and stationery furnished to the boards of aldermen and assistant aldermen in the city of New York."

"An act to provide for making to the New York Infirmary for Women and Children allowances and payments for the care and maintenance of lying-in and nursing women."

"An act in relation to proceedings in surrogates' courts."

"An act to legalize the acts of Charles C. Wakeley as notary public."

"An act to amend sections 1 and 6 of chapter 280 of the Laws of 1845, entitled 'An act for the publication of the Session Laws in two newspapers in each county of this State,' passed May 14, 1845."

"An act to create a board of assessors in and for the city of Utica."

"An act further to amend chapter 450 of the Laws of 1847, entitled 'An act requiring compensation for causing death by wrongful act, neglect or default, as amended by chapter 78 of the Laws of 1870.'"

"An act to amend chapter 224, Laws of 1872, entitled 'An act to amend an act entitled An act to consolidate and amend the several acts relating to the village of Watkins, and to enlarge the powers of the corporation of said village, passed April 3, 1861,' passed April 12, 1872."

"An act to amend chapter 156 of the Laws of 1852, entitled 'An act to amend an act entitled An act to provide for the establishment of free schools in the village of Newburgh, passed April 6, 1852, passed March 7, 1865.'"

"An act to amend chapter 101 of the Laws of 1862, entitled "An act in relation to the support and custody of indigent insane persons of the county of Genesee.'"

"An act in relation to countersigning warrants for payments from the treasury of the city of New York."

"An act to amend chapter 766 of the Laws of 1868, entitled 'An act to empower Ulster Lodge No. 59 of the Independent Order of Odd Fellows of the State of New York, in the village of Saugerties and county of Ulster, to hold and convey real and personal estate, and constitute the same a corporation.'"

"An act to incorporate St. Raymond's Cemetery of Westchester, in the State of New York."

"An act authorizing the trustees of the village of Ballston Spa to issue bonds, to be known as 'Extended Water Bonds,' to pay a portion of the water bonds now outstanding of said village, maturing in the year 1877 and thereafter."

"An act to legalize and confirm the proceedings of the board of trustees of the village of Andes, in the county of Delaware, in relation to the purchase of hydrants for the use of said village and the creation of a debt for that purpose, and to provide for the payment thereof."

"An act to amend chapter 335 of the Laws of 1871, entitled 'An act to authorize the appointment of a person to be public administrator in the county of Kings, and to determine the powers and duties of such officer.'"

"An act regulating the practice in the surrogate's court of the county of New York respecting testimony taken in contested matters, and as to the issue of letters of guardianship to testamentary guardians."

"An act to incorporate the Fire Department of the village of Plattsburgh."

"An act to amend section 23 of chapter 10 of the Laws of 1859, entitled 'An act to amend an act entitled An act to revise, amend and consolidate the several acts relating to the village of Whitesborough,' passed February 12, 1859, as amended by chapter 304 of the Laws of 1873."

The privileges of the floor were granted to the Hon. Geo. B. Dean.

By unanimous consent,

Mr. Webb, from the committee on commerce and navigation, to which was recommitted the bill introduced by Mr. Stein, Int. No. 224, entitled "An act to amend sections 13 and 14 of chapter 467 of the Laws of 1853, entitled 'An act to provide for the licensing and government of the pilots and regulating pilotage of the port of New York, which sections were amended by chapter 137 of the Laws of 1865,'" reported adversely thereto.

(Mr. Stein dissented.)

Mr. Stein moved to lay said report on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative.

By unanimous consent,

Mr. Webb, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Webb, Int. No. 733, entitled "An act to amend an act entitled 'An act concerning the pilots of the channel of the East river, commonly called Hell Gate,' passed April 15, 1847, and the various acts amendatory thereto, passed March 12, 1860, March 14, 1865, May 17, 1867, April 16, 1868, and April 5, 1871," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Webb, from the committee on commerce and navigation, to which

was referred the bill introduced by Mr. Shanley, Int. No. 546, entitled 'An act to amend an act entitled An act for the better protection of seamen in the port and harbor of New York,' passed March 21, 1866," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Pursuant to 9th joint rule, Mr. Speaker announced the order of business, "third reading of bills."

The bill entitled "An act to amend section 7 of chapter 633 of the Laws of 1866, entitled 'An act in relation to the benevolent fund of the late Volunteer Fire Department in the city of New York,' passed April 17, 1866, as amended by chapter 962 of the Laws of 1867, and as further amended by chapter 297 of the Laws of 1870," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 00 }

\* Those who voted in the affirmative, were

Alvord	Dimond	McFalls	Santee
Baker	Ecclesine	McGraw	Skillman
S. Baldwin	Fish	McGroarty	Sliter
Barnes	Gallagher	McKee	Smith
Billings	Galvin	Moller	Spinola
Billington	Gere	Moore	Stein
Bissell	J. S. Graham	Morey	Stone
Bowen	Hamilton	Nachtmann	Suydam
Bradley	Hammond	Neilson	Tabor
Braman	Hayes	Orr	Taylor
J. S. Brown	Hepburn	Peck	Thistlethwaite
Bulmer	Herbst	Piper	Tighe
E. Case	Hodges	Potter	Valentine
T. A. Case	Hogeboom	Proper	Waddell
Clapp	Husted	Purdy	Webb
Clark	King	Rice	Wemple
Corsa	Lang	H. H. Rockwell	Wickes
Cozans	Langbein	W. L. Rockwell	Williams
Davenport	Langner	Ruggles	Winch
Dillmeier	Lyon	Sanders	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 742 of the Laws of 1871, entitled 'An act in relation to storage and the keeping of combustible material in the city of New York, the use and control of the fire-alarm telegraph, the incumbrance of hydrants, and other purposes connected with the prevention and extinguishment of fires therein, and imposing certain powers and duties upon the board of fire commissioners of the said city," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davenport	King	H. H. Rockwell
Baker	Dillmeier	Langbein	W. L. Rockwell
S. Baldwin	Dimond	Langner	Sanders
M. L. Baldwin	Ecclesine	Lyon	Santee
Barnes	Filkin	Maher	Shannon
Berrigan	Fish	Marvin	Sheldon
Billings	Flecke	Maynard	Skillman
Billington	Gallagher	McFalls	Smith
Bissell	Galvin	McGraw	Spinola
Bowen	Gere	McGroarty	Stein
Bradley	J. S. Graham	McKee	Stephenson
Braman	Gulick	Moller	Stone
J. S. Brown	Hamilton	Moore	Suydam
Bulmer	Hammond	Morey	Tabor
E. Case	Hayes	Nachtmann	Taylor
G. M. Case	Hepburn	Orr	Tighe
T. A. Case	Herrick	Piper	Valentine
Clapp	Herbst	Post	Webb
Clark	Hodges	Potter	Wickes
Corbett	Hogeboom	Proper	Williams
Corsa	Holahan	Rice	Winch
Cozans	Husted		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 820 of the Laws of 1878, entitled 'An act to amend an act entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors,' passed April 16, 1857," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davenport	King	H. H. Rockwell
Baker	Dillmeier	Langbein	W. L. Rockwell
S. Baldwin	Dimond	Langner	Sanders
Barnes	Fay	Longyear	Santee
Benedict	Fish	Maynard	Shanley
Berrigan	Flecke	McFalls	Shannon
Billings	Galvin	McGraw	Skillman
Billington	Gere	McKee	Smith
Bowen	J. S. Graham	Moller	Stephenson
Bradley	Gulick	Moore	Stone
Braman	Hamilton	Morey	Tabor
J. S. Brown	Hammond	Neilson	Taylor
Bulmer	Hayes	Noyes	Thistlethwaite
E. Case	Healy	Orr	Valentine

G. M. Case	Hepburn	Peck	Waddell
T. A. Case	Herrick	Piper	Webb
Clapp	Herbst	Post	Welsh
Clark	Hodges	Potter	Wickes
Corbett	Hogeboom	Proper	Williams
Corsa	Husted	Rice	Winch
Crowley			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Hodges moved that Senate bill entitled "An act to provide for the appointment of an additional number of notaries public," do now have its third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Corbett	King	H. H. Rockwell
Backenstose	Corsa	Langbein	W. L. Rockwell
Baker	Cozans	Langner	Ruggles
S. Baldwin	Crowley	Longyear	Sager
M. L. Baldwin	Davenport	Lyon	Sanders
Barnes	Dillmeier	Maher	Santee
Benedict	Dimond	Maynard	Shanley
Berrigan	Ecclesine	McFalls	Shannon
Billings	Fish	McGraw	Stein
Bissell	Flecke	McGroarty	Stephenson
Bowen	Gallagher	McKee	Stone
Braman	Gere	Moller	Suydam
Briok	J. S. Graham	Moore	Taylor
J. S. Brown	Gulick	Morey	Thistlethwaite
Bulmer	Hammond	Noyes	Tighe
E. Case	Healy	Orr	Valentine
G. M. Case	Herrick	Peck	Webb
T. A. Case	Herbst	Piper	Welsh
Childs	Hodges	Potter	Wickes
Clapp	Hogeboom	Proper	Williams
Clark	Husted	Rice	Winch

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The bill entitled "An act to amend chapter 555, Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,' passed May 2, 1864," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cozans	Maher	Sanders
Backenstose	Crowley	McFalls	Santee
Baker	Davenport	McGraw	Shanley
S. Baldwin	Dimond	McGroarty	Sheldon
M. L. Baldwin	Ecclesine	McKee	Skillman
Barnes	Fish	Moller	Sliter
Benedict	Flecke	Moore	Smith
Billings	Gallagher	Morey	Stein
Billington	Gulick	Neilson	Stephenson
Bissell	Hamilton	Orr	Stone
Bradley	Hammond	Peck	Suydam
Braman	Hayes	Piper	Thistlethwaite
J. S. Brown	Herrick	Post	Tighe
Bulmer	Herbst	Potter	Valentine
E. Case	Hodges	Proper	Waddell
G. M. Case	Hogeboom	Rice	Webb
T. A. Case	Husted	H. H. Rockwell	Welsh
Clapp	Langbein	W. L. Rockwell	Wickes
Clark	Longyear	Ruggles	Williams
Corbett	Lyon	Sager	Winch
Corsa			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 435 of the Laws of 1868, entitled 'An act to incorporate the village of Hamilton in the county of Madison, and repeal its present charter,' and to repeal chapter 250 of the Laws of 1870, chapter 18 of the Laws of 1874, and chapter 142 of the Laws of 1875," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Corsa	Langner	W. L. Rockwell
Backenstose	Cozans	Longyear	Ruggles
Baker	Crowley	Lyon	Sager
S. Baldwin	Davenport	Maher	Sanders
M. L. Baldwin	Dillmeier	Maynard	Santee
Barnes	Ecclesine	McFalls	Shanley
Benedict	Fish	McGraw	Shannon
Berrigan	Flecke	McGroarty	Skinner
Billings	Gallagher	McKee	Sliter
Billington	Galvin	Moller	Stein
Bowen	Gere	Moore	Stone
Bradley	J. S. Graham	Morey	Suydam

Braman	Gulick	Nachtmann	Taylor
Brick	Hamilton	Neilson	Thistlethwaite
Brill	Hammond	Noyes	Valentine
J. S. Brown	Hepburn	Orr	Waddell
Bulmer	Herbst	Peck	Webb
E. Case	Hodges	Piper	Welsh
Clapp	Hogeboom	Potter	Wickes
Clark	Husted	Rice	Williams
Corbett	Langbein	H. H. Rockwell	Winch

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act in regard to the powers of the associate rector of St. Luke's Memorial Church, in the city of Utica, county of Oneida and State of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Corsa	Langner	W. L. Rockwell
Backenstose	Cozans	Longyear	Ruggles
Baker	Crowley	Lyon	Sanders
S. Baldwin	Davenport	Maher	Santee
M. L. Baldwin	Dillmeier	Maynard	Shanley
Barnes	Dimond	McFalls	Shannon
Benedict	Ecclesine	McGraw	Skillman
Berrigan	Fay	McGroarty	Skinner
Billington	Flecke	McKee	Stephenson
Bissell	Gallagher	Moller	Stone
Bowen	Gere	Moore	Suydam
Braman	J. S. Graham	Morey	Taylor
Brick	Gulick	Neilson	Thistlethwaite
Brill	Hamilton	Niven	Tighe
J. S. Brown	Hammond	Orr	Valentine
Bulmer	Herrick	Peck	Waddell
E. Case	Herbst	Piper	Webb
G. M. Case	Hodges	Post	Welsh
T. A. Case	Husted	Potter	Wickes
Clapp	Keator	Rice	Williams
Clark	King	H. H. Rockwell	Winch
Corbett	Langbein		

*Ordered,* That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The bill entitled "An act to amend and make additions to chapter 463 of the Laws of 1860, entitled 'An act to revise the charter of the city of Oswego, and the acts amendatory thereof,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cozans	Longyear	Sanders
Backenstose	Crowley	Lyon	Santee
Baker	Davenport	Maher	Shanley
S. Baldwin	Dillmeier	Maynard	Shannon
M. L. Baldwin	Dimond	McFalls	Sheldon
Barnes	Filkin	McGraw	Skillman
Benedict	Fish	McGroarty	Skinner
Berrigan	Flecke	McKee	Smith
Billington	Gallagher	Moller	Speaker
Bissell	Galvin	Moore	Stein
Bowen	Gere	Morey	Stone
Bradley	Gulick	Nachtmann	Suydam
Braman	Hamilton	Noyes	Taylor
Brick	Hammond	Orr	Thistlethwaite
Brill	Hepburn	Peck	Tighe
J. S. Brown	Herbst	Piper	Valentine
Bulmer	Hodges	Post	Waddell
E. Case	Husted	Potter	Webb
G. M. Case	Keator	Rice	Welsh
Childs	King	H. H. Rockwell	Wickes
Corbett	Langbein	W. L. Rockwell	Williams
Corsa	Langner	Sager	Winch

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to amend chapter 341 of the Laws of 1872, entitled 'An act in reference to the Young Men's Association for mutual improvement in the city of Albany,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davenport	Longyear	W. L. Rockwell
Backenstose	Dillmeier	Lyon	Sager
Baker	Dimond	Maher	Sanders
S. Baldwin	Fay	Maynard	Santee
M. L. Baldwin	Fish	McFalls	Shanley
Barnes	Flecke	McGraw	Shannon
Benedict	Gallagher	McGroarty	Sheldon
Billings	Galvin	McKee	Skinner
Billington	Gere	Moller	Stephenson
Bissell	Gulick	Moore	Stone
Bowen	Hamilton	Morey	Taylor
Bradley	Hammond	Nachtmann	Thistlethwaite
Braman	Hepburn	Neilson	Tighe
J. S. Brown	Herrick	Orr	Valentine
Bulmer	Herbst	Piper	Waddell



E. Case	Hodges	Post	Webb
G. M. Case	Hogeboom	Potter	Welsh
T. A. Case	Husted	Purdy	Wickes
Clapp	King	Rice	Williams
Clark	Langbein	H. H. Rockwell	Winch
Corsa	Langner		

*Ordered,* That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The bill entitled "An act to amend chapter 44 of the Laws of 1828, entitled 'An act relative to the common school fund of Edmeston, in the county of Otsego,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 95 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crowley	Langbein	W. L. Rockwell
Backenstose	Davenport	Langner	Santee
Baker	Dillmeier	Longyear	Shanley
S. Baldwin	Dimond	Lyon	Shannon
M. L. Baldwin	Ecclesine	Maher	Sheldon
Barnes	Fay	Maynard	Skillman
Benedict	Filkin	McFalls	Skinner
Berrigan	Fish	McGraw	Speaker
Billings	Flecke	McGroarty	Spicer
Billington	Gallagher	McKee	Stein
Bissell	Galvin	Moller	Stephenson
Bowen	Gere	Moore	Stone
Braman	Gulick	Morey	Suydam
Brill	Hamilton	Neilson	Taylor
J. S. Brown	Hammond	Orr	Tighe
E. Case	Hepburn	Peck	Valentine
G. M. Case	Herrick	Piper	Waddell
T. A. Case	Herbst	Post	Welsh
Clapp	Hodges	Potter	Wickes
Corbett	Husted	Rice	Williams
Corsa	King	H. H. Rockwell	Winch
Cozans			

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to confirm the election of trustees in the village of North Tonawanda, in the county of Niagara, and to provide for their election hereafter," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Corsa	Langbein	H. H. Rockwell
Backenstose	Cozans	Langner	W. L. Rockwell
Baker	Crowley	Longyear	Rooney
S. Baldwin	Davenport	Lyon	Sanders
M. L. Baldwin	Dillmeier	Maher	Santee
Barnes	Dimond	Maynard	Shanley
Benedict	Fay	McFalls	Shannon
Berrigan	Fish	McGraw	Skillman
Billings	Flecke	McGroarty	Skinner
Bissell	Gallagher	McKee	Speaker
Bowen	Gere	Moller	Stein
Bradley	J. S. Graham	Moore	Stephenson
Braman	Gulick	Morey	Stone
Brill	Hamilton	Neilson	Suydam
J. S. Brown	Hammond	Orr	Tabor
Burns	Hepburn	Peck	Thistlethwaite
E. Case	Herrick	Piper	Tighe
G. M. Case	Herbst	Post	Wickes
T. A. Case	Hodges	Potter	Williams
Clapp	Husted	Rice	Winch
Corbett	King		

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 497 of the Laws of 1870, entitled 'An act to establish a police force in the county of Richmond,'" being announced for a third reading,

Mr. Fish moved to recommit said bill to the committee on internal affairs, said bill retaining its place on the order of business "third reading of bills."

Mr. Brick moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Fish, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 71 }  
{ NOES 13 }

Those who voted in the affirmative, were

Alvord	Crowley	Langbein	Rice
Backenstose	Dillmeier	Langner	H. H. Rockwell
M. L. Baldwin	Dimond	Longyear	W. L. Rockwell
Barnes	Ecclesine	Lyon	Rooney
Benedict	Fay	Maher	Shanley
Berrigan	Filkin	Maynard	Shannon

Billings	Galvin	McGraw	Skillman
Billington	Gere	McGroarty	Sliter
Bissell	Gulick	McKee	Spinola
Bowen	Hamilton	Moller	Stein
Bradley	Hammond	Neilson	Stone
Braman	Hayes	O'Hare	Suydam
Brick	Healy	Orr	Taylor
Brill	Hepburn	Piper	Thistlethwaite
Bulmer	Herrick	Post	Tighe
Burns	Hodges	Potter	Waddell
T. A. Case	Husted	Proper	Webb
Cozans	King	Purdy	

Those who voted in the negative, were

Baker	Corsa	Marvin	Peck
S. Baldwin	Fish	McFalls	Stephenson
J. S. Brown	Hogeboom	Moore	Williams
E. Case			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The privileges of the floor were granted to Hon. Frederick A. Conkling, formerly a member of the House.

By unanimous consent,

Mr. Hepburn offered for the consideration of the House a resolution, in the words following:

*Resolved*, That Senate bill No. 15, entitled "An act in relation to county treasurers," be printed, as amended, and placed upon the files of members.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The bill entitled "An act to amend an act entitled 'An act establishing a ferry from Barber's Point, in the town of Westport, in the county of Essex, across Lake Champlain, and to repeal chapter 495 of the Laws of 1871,' passed May 1, 1872," being announced for a third reading,

On motion of Mr. Clapp, and by unanimous consent, said bill was amended as follows:

Section 4, line 4, strike out the word "next," and insert in lieu thereof the word "last."

Section 6, line 4, insert after the word "aforesaid," the words "the said court."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Corsa	Maher	Sager
Backenstose	Cozans	Marvin	Sanders
S. Baldwin	Crowley	Maynard	Santee
M. L. Baldwin	Davenport	McFalls	Shannon

Barnes'	Dillmeier	McGraw	Skillman
Benedict	Dimond	McGroarty	Skinner
Berrigan	Ecclesine	McKee	Smith
Billings	Filkin	Moller	Stein
Billington	Fish	Moore	Stephenson
Bissell	Flecke	Morey	Stone
Bowen	Galvin	Neilson	Suydam
Bradley	Gere	Niven	Tabor
Braman	Gulick	O'Hare	Taylor
Brick	Hamilton	Orr	Thistlethwaite
Brill	Herbst	Piper	Tighe
J. S. Brown	Hodges	Post	Valentine
Bulmer	Husted	Potter	Waddell
E. Case	King	Proper	Webb
T. A. Case	Langbein	Rice	Welsh
Clapp	Langner	H. H. Rockwell	Wickes
Corbett	Longyear	W. L. Rockwell	Winch

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate the Veteran Guard of the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cozans	Longyear	Rooney
Backenstose	Davenport	Lyon	Sager
Baker	Dillmeier	Maher	Sanders
S. Baldwin	Dimond	Marvin	Santee
M. L. Baldwin	Ecclesine	Maynard	Shanley
Benedict	Fay	McFalls	Shannon
Berrigan	Fish	McGraw	Skinner
Billings	Gallagher	McKee	Smith
Billington	Gere	Moller	Stein
Bissell	J. S. Graham	Moore	Stephenson
Bowen	Gulick	Morey	Stone
Bradley	Hamilton	Neilson	Suydam
Braman	Hammond	Niven	Tabor
Brill	Hayes	O'Hare	Thistlethwaite
J. S. Brown	Healy	Orr	Tighe
Bulmer	Herbst	Peck	Valentine
E. Case	Hodges	Piper	Webb
T. A. Case	Husted	Post	Welsh
Clapp	Keator	Proper	Wickes
Clark	King	Rice	Williams
Corbett	Langbein	H. H. Rockwell	Winch
Corsa	Langner	W. L. Rockwell	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Husted moved to lay the order of business, "third reading of bills," on the table, for the purpose of taking up the special order of the day.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Speaker announced the special order of the day, being the bill entitled "An act making appropriation for certain expenses of government and supplying deficiencies in former appropriations."

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Braman, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Husted moved that said bill be made a special order for to-morrow morning immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Alvord moved that the House take a recess until 7½ o'clock this evening, and that that session be a general session, but not to revoke the special order.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon, at 2 o'clock, the House took a recess until 7½ o'clock.

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### HALF-PAST SEVEN O'CLOCK P. M.

The House again met.

Mr. Speaker directed the Clerk to call the roll and ascertain if a quorum was present, when the following members answered to their names:

Alvord	Fish	McGraw	Sheldon
Backenstose	Flecke	McGroarty	Skillman
Baker	Floyd-Jones	McKee	Skinner
S. Baldwin	Gallagher	Moller	Speaker
M. L. Baldwin	Gere	Moody	Spinola
Barnes	Hamilton	Moore	Stone
Billings	Healy	Morey	Suydam
Bissell	Herrick	Nachtmann	Taylor
Bradley	Herbst	Neilson	Thistlethwaite
Braman	Hodges	Noyes	Tighe
Brick	Hogeboom	Peck	Valentine
J. S. Brown	Lang	Piper	Waddell
E. Case	Langner	Post	Weiant
T. A. Case	Longyear	Potter	Welsh

Clapp  
Dillmeier  
Dimond

Lyon  
Maher  
Maynard

Rice  
W. L. Rockwell

Wickes  
Winch

66

A quorum of members having answered to their names,  
Mr. Speaker and the Clerk presented the following bills as referred to the sub-committee of the whole:

G. O. 127, No. 149, "An act to amend chapter 737 of the Laws of 1873, entitled 'An act in relation to the creation and formation of water-works companies in towns and villages of the State of New York,' passed June 12, 1873."

G. O. 198, No. 208, "An act to authorize the common council of the city of Buffalo to make an appropriation for the deficiency in the poor fund of 1876, of said city."

Senate, G. O. 280, No. 29, "An act in relation to proceedings in the surrogate's court in the county of Erie, and to the powers and jurisdiction of the surrogate thereof."

G. O. 295, No. 287, "An act authorizing the commissioners of highways of the town of Glenville, Schenectady county, to appropriate a portion of the moneys received for commutation of highway labor to the payment of interests of investments of said town incurred in the purchase and rebuilding of the Mohawk and Schenectady Bridge Companies' bridges, and for repairs of said bridges."

G. O. 302, No. 293, "An act to authorize the First Presbyterian Church of Kortright, Delaware county, to change its corporate name, and to legalize the acts of the trustees of said church heretofore done under the name of the United Presbyterian Church of Kortright, and to legalize all the proceedings had by said church under the name of said United Presbyterian Church."

G. O. 318, No. 310, "An act to provide better facilities for the election of town officers in the town of Watervliet, Albany county."

G. O. 320, No. 312, "An act to amend chapter 410 of the Laws of 1874, entitled 'An act to authorize towns and villages to provide a sinking fund for the payment of their bonded indebtedness, so far as the same relates to the county of Chautauqua.'"

Senate, G. O. 356, No. 1, "An act to facilitate the removal of clouds and apparent liens upon the title to real estate."

Senate, G. O. 357, No. 47, "An act to authorize the treasurer of Monroe county to sell property for unpaid taxes."

Senate, G. O. 375, No. 36, "An act to authorize the appointment of a librarian to take charge of the law library in the fifth judicial district, located at Utica."

Senate, G. O. 376, No. 60, "An act relating to Gowanda union free school district, composed of a part of the town of Collins, in Erie county, and parts of the towns of Persia and Perrysburgh, in Cattaraugus county."

G. O. 184, No. 198, "An act to amend an act entitled 'An act to establish a local court of civil jurisdiction in the city of Rochester, to be called the Municipal Court of the city of Rochester, and to amend the charter of said city,' passed May 2, 1876."

G. O. 315, No. 306, "An act authorizing and empowering the common council of the city of Rochester to construct a turn-table or swing-bridge over the Erie canal, in Allen street, in the city of Rochester."

G. O. 333, No. 323, "An act to authorize the city of Rochester to acquire the title to land or other property for the use of water-works."

Senate, G. O. 130, No. 50, "An act to authorize the trustees under the will of James Cunningham, to convey to the city of Brooklyn, certain lands and hereditaments at the foot of Noble street, in said city."

Senate, G. O. 299, No. 62, "An act to amend chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plank-roads and turnpikes.'"

Senate, G. O. 223, No. 147, "An act to authorize the police department or board of police of any city to appoint policemen of district telegraph companies."

G. O. 219, No. 227, "An act to provide for the collection of the unpaid assessments for the opening, regulating and grading of Franklin avenue in the towns of Flatbush and New Utrecht."

G. O. 251, No. 249, "An act further to amend chapter 106 of the Laws of 1865, entitled 'An act to incorporate the New York Infant Asylum.'"

G. O. 286, No. 278, "An act to repeal chapter 583 of the Laws of 1869, entitled 'An act relative to the improvement of Mamaroneck harbor, and for the promotion of the public health,' passed May 5, 1869."

G. O. 287, No. 279, "An act to change the bulk-head and pier lines for Newtown creek in the port of New York."

G. O. 288, No. 280, "An act to amend chapter 371 of the Laws of 1875, entitled 'An act to conform the charters of all savings banks or institutions for savings to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision and for the administration of their affairs.'"

G. O. 296, No. 288, "An act to amend chapter 342 of the Laws of 1850, entitled 'An act to authorize the president, directors and company of the New Baltimore and Rensselaerville turnpike road, to sell and convey their present turnpike road.'"

G. O. 298, No. 290, "An act to amend chapter 224 of the Laws of 1874, entitled 'An act to repeal chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plank-roads and turnpikes, so far as the same relates to the counties of Clinton, Chenango, Seneca, Queens, Orange, Essex, Cayuga, Madison and Steuben,' so far as to exempt the county of Madison from said repealing act.'"

G. O. 307, No. 298, "An act to amend chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction.'"

G. O. 324, No. 315, "An act for the more efficient protection of judgment creditors."

G. O. 342, No. 332, "An act for the improvement of certain lands for the benefit of the commercial and agricultural interests of the town of New Utrecht, in Kings county."

G. O. 352, No. 342, "An act to release to Miles Perry and his legal representatives the title and interest of the people of the State of New York in certain real estate in the town of Riga, and county of Monroe."

G. O. 334, No. 384, "An act in relation to the office of railroad commissioners in Ulster county."

G. O. 347, No. 337, "An act to authorize the village of Sag Harbor, Suffolk county, to borrow money for purchasing a steam fire apparatus, with the necessary appurtenances therefor, and to secure a supply of water therefor."

G. O. 348, No. 338, "An act to organize a fire department in the village of Andes, Delaware county."

G. O. 349, No. 339, "An act to amend chapter 68 of the Laws of 1860, entitled 'An act to consolidate and amend the several acts relating to the village of Catskill,' passed March 14, 1860."

G. O. 350, No. 340, "An act to amend chapter 65 of the Laws of 1871, entitled 'An act to revise and consolidate the laws in relation to the village of Geneva, in the county of Ontario,' passed March 3, 1871."

G. O. 351, No. 341, "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,' passed April 20, 1870, as amended by chapter 688 of the Laws of 1871."

G. O. 353, No. 344, "An act relating to the redemption of lands sold under decrees of foreclosure in the counties of New York and Kings."

G. O. 354, No. 345, "An act in relation to the indictment and punishment of criminal offenses committed on railroads in this State."

G. O. 360, No. 347, "An act to provide for the filing of security for the payment of damages and costs by the plaintiff in actions or proceedings against physicians, surgeons and dentists for damages or punishment for malpractice."

G. O. 361, No. 348, "An act in relation to the maintenance of the chronic insane poor of the county of Clinton."

G. O. 362, No. 349, "An act to establish a fire department in the second school district of the town of Glenville, in the county of Schenectady, and for the government and maintenance of the same."

G. O. 363, No. 350, "An act requiring the superintendents of the poor of the county of Genesee to convey to the board of supervisors of said county the lands and appurtenances known as the poor-house farm, situate in the town of Bethany, in said county."

G. O. 364, No. 351, "An act in relation to the appointment of town constables in the county of Ontario."

G. O. 366, No. 353, "An act to authorize the president and directors of the Charlotte Turnpike Company to abandon their road and for other purposes."

G. O. 372, No. 358, "An act for the relief of school districts wishing to contract with boards of education of cities to educate their children in city schools."

G. O. 379, No. 363, "An act further to amend chapter 857 of the Laws of 1873, entitled 'An act in relation to the keeping open of certain public offices in the county of Kings.'"

G. O. 380, No. 364, "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages.'"

G. O. 381, No. 365, "An act to exempt the counties of Suffolk, Livingston and Otsego from the provisions and operation of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,' passed April 29, 1875."

G. O. 368, No. 355, "An act in relation to the repaving and improvement of Fourth street, from Division avenue to Grand street, in the city of Brooklyn."

G. O. 116, No. 140, "An act to enable the city of Brooklyn to raise further means for the improvement and sale of certain portions of Prospect park in said city."

G. O. 297, No. 289, "An act to repeal chapter 640 of the Laws of



1870, entitled 'An act authorizing the construction of a highway from Chateaugay lake to Saranac and branches.'"

The Senate returned the bill entitled "An act in relation to running ferry boats by the Union Ferry Company of Brooklyn across the East river," with a message informing that they had passed the same, with the following amendments:

Section 1, lines 1 and 2, after the word "company," strike out the words "of the city." Add at the end of section 1, the words "during the present lease."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 76 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Clapp	Maher	Proper
Backenstose	Corbett	Marvin	Rice
Baker	Corsa	Maynard	H. H. Rookwell
S. Baldwin	Cozans	McFalls	W. L. Rockwell
M. L. Baldwin	Dillmeier	McGraw	Shanley
Barnes	Dimond	McGroarty	Skillman
Benedict	Fay	McKee	Skinner
Billings	Flecke	Moller	Stephenson
Billington	Floyd-Jones	Moody	Stone
Bowen	Gallagher	Moore	Suydam
Bradley	Galvin	Morey	Tabor
Braman	Grady	Nachtmann	Taylor
Brick	J. S. Graham	Neilson	Thistlethwaite
Brill	Gulick	Noyes	Tighe
J. S. Brown	Herbst	Orr	Valentine
Burns	Hodges	Peck	Waddell
E. Case	Lang	Piper	Wickes
G. M. Case	Longyear	Post	Williams
T. A. Case	Lyon	Potter	Winch

*Ordered,* That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned the bill entitled "An act to regulate the execution and transfer of negotiable instruments given for patent rights," with a message informing that they had passed the same with the following amendments:

Section 2, strike out, in line 13, all after the word "misdemeanor" down to and including the word "sold" in line 17.

Strike out section 3 and insert in lieu thereof the following:

§ 3. This act shall not apply to a promissory note given solely for the purchase price or use of a patented article.

The amendments having been read,

Mr. Speaker then put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

} AYES 84 }  
 } NOES 00 }

Those who voted in the affirmative, were

Alvord	Corsa	Holahan	Post
Backenstose	Coulter	King	Potter
Baker	Cowdin	Lang	Proper
S. Baldwin	Cozans	Langner	H. H. Rockwell
M. L. Baldwin	Davenport	Longyear	W. L. Rockwell
Barnes	Dimond	Lyon	Shanley
Benedict	Fay	Maher	Shannon
Berrigan	Fish	Marvin	Skillman
Billings	Flecke	McFalls	Stephenson
Bissell	Floyd-Jones	McGraw	Suydam
Braman	Gallagher	McGroarty	Tabor
Brick	Galvin	McKee	Taylor
Brill	Grady	Moller	Thistlethwaite
J. S. Brown	J. S. Graham	Moody	Tighe
Burns	Gulick	Moore	Valentine
E. Case	Hamilton	Morey	Waddell
G. M. Case	Hammond	Nachtmann	Weiant
T. A. Case	Herrick	Neilson	Welsh
Clapp	Herbst	Noyes	Wickes
Clark	Hodges	Peck	Williams
Corbett	Hogeboom	Piper	Winch

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned the bill entitled "An act relative to lands in the city of New York, devised by Charlotte E. Jenkins, late of said city, deceased, authorizing the mortgaging or sale thereof, and the disposition of the proceeds thereof in accordance with the provisions of the will of the said deceased, the same to be done under the direction of the Supreme Court," with a message informing that they had passed the same with the following amendments,

Section 1, line 2, after the word "trustee," insert the words "of Charlotte E. Jenkins, late of the city of New York, deceased." Line 3, strike out the word "other" and insert the word "their." Line 6, strike out the word "thereof." Line 35, strike out the word "other" and insert the word "their."

Strike out all of section 3 and insert in lieu thereof the following:

§ 3. All sales and conveyances made as aforesaid, in pursuance of such authority or direction, shall be valid and effectual to vest in the purchaser or purchasers, and his or their assigns, the fee simple absolute in and to the lands so conveyed, as against all the descendants of said Margaret G. Kopper and Sarah R. Jenkins respectively, whether in being or not, and all persons whomsoever deriving any rights or interests in said property under and by virtue of said will. And every mortgage made as aforesaid, in pursuance of such authority and direction, shall be a valid mortgage and shall be binding and effectual as against all persons having any claim to or interest in the premises under the will of the said Charlotte E. Jenkins, deceased, whether yet in being or not; and on a foreclosure and sale thereof by due proceedings at law, if any such sale should hereafter be made under such mortgage, the utter of the purchaser under said sale shall be valid and free, and discharged of all claims

of all persons having any interest in the said premises under the will of the said Charlotte E. Jenkins, deceased, whether in being or not.

Section 4, strike out the words "be liberally construed and shall."

Amend the title by striking out, in line 8, the word "the," and also the following concluding words "the same to be done under the direction of the Supreme Court."

The amendments having been read,

Mr. Speaker then put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

} AYES 88 {  
} NOES 00 {

Those who voted in the affirmative, were

Alvord	Corbett	Langbein	Proper
Backenstose	Corsa	Langner	Rice
Baker	Coulter	Longyear	H. H. Rockwell
S. Baldwin	Cozans	Lyon	W. L. Rockwell
M. L. Baldwin	Davenport	Maher	Shanley
Barnes	Dillmeier	Marvin	Shannon
Benedict	Ecclesine	Maynard	Sheldon
Berrigan	Fish	McFalls	Skillman
Billings	Flecke	McGraw	Skinner
Billington	Floyd-Jones	McGroarty	Stein
Bowen	Galvin	McKee	Stephenson
Bradley	Gere	Moller	Stone
Braman	Grady	Moody	Strahan
Brick	J. S. Graham	Moore	Suydam
Brill	Gulick	Morey	Tabor
J. S. Brown	Hamilton	Nachtmann	Taylor
Burns	Hammond	Neilson	Thistlethwaite
E. Case	Hayes	Noyes	Tighe
G. M. Case	Herrick	Orr	Valentine
T. A. Case	Herbst	Peck	Waddell
Clapp	Hodges	Piper	Williams
Clark	Holahan	Potter	Winch

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. J. S. Graham presented the report of the sub-committee of the whole; which was laid on the table and ordered printed.

(See Doc. No. .)

On motion of Mr. J. S. Graham, and by unanimous consent, the bill entitled "An act to further amend chapter 421 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,' passed April 26, 1871," was ordered printed as amended.

Mr. Marvin offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the committee on charitable and religious societies be discharged from the further consideration of Senate bill No. 161, entitled "An act further to amend chapter 106 of the Laws of 1865, entitled 'An act to incorporate the New York Infant Asylum,'" and that said Senate bill be substituted for Assembly bill No. 249, bearing the same title.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Moller, Int. No. 585, entitled "An act to amend chapter 818 of the Laws of 1868, entitled 'An act to incorporate the village of Portchester,' passed May 14, 1868," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr. McKee, Int. No. 677, entitled "An act to amend chapter 330 of the Laws of 1850, entitled 'An act incorporating the village of Little Falls by the name of Rockton, and the laws amendatory thereof,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Benedict, Int. No. 751, entitled "An act to amend chapter 385 of the Laws of 1867, entitled 'An act to incorporate the village of Warwick, as amended by chapter 481 of the Laws of 1872,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr. T. A. Case, Int. No. 729, entitled "An act to amend chapter 24 of the Laws of 1870, entitled 'An act to amend an act entitled An act to amend the charter of the village of Dunkirk,' passed April 20, 1867," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Fay, Int. No. 701, entitled "An act to repeal section 51 of chapter 505 of the Laws of 1873, entitled 'An act to reorganize the village of Gloversville,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Peck, from the committee on public education, to which was referred the bill introduced by Mr. Gallagher, Int. No. 642, entitled "An act to amend an act entitled 'An act to revise the charter of the city of Buffalo in respect to the board of education of said city, its powers and duties,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Peck, from the committee on public education, to which was referred the bill introduced by Mr. McKee, Int. No. 800, entitled "An act to enable Clinton Liberal Institute to change its location," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Peck, from the committee on public education, to which was referred the bill introduced by Mr. Suydam, Int. No. 704, entitled "An act to establish a high school in the city of Brooklyn," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Speaker introduced a bill entitled "An act to change the bulk-head line of Randall's and Ward's Islands, and to prevent the creation of a nuisance in filling in the area between said bulk-head lines," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Also, a petition on the same subject, which was read and referred to the same committee.

By unanimous consent,

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Moller, Int. No. 584, entitled "An act to incorporate the Mount Pleasant Water-works Company," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Gallagher, Int. No. 407, entitled "An act giving justices of the peace, justices to police as well as police justices, within the city of Buffalo, jurisdiction in all cases of cruelty to children, or relating to or affecting children," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Skinner, Int. No. 543, entitled "An act to amend chapter 199 of the Laws of 1843, in reference to the indexing of deeds and mortgages," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Lang, Int. No. 768, entitled "An act in relation to the improvement of the Racket river, and of the hydraulic power thereon, and to check freshets therein," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Alvord, Int. No. 820, entitled "An act to prevent fraud in manufacture and sale of commercial fertilizers," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Langbein, Int. No. 816, entitled "An act for the further protection of male employes in the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Strahan, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to amend chapter 176 of the

Laws of 1851, entitled 'An act to amend the law for the assessment and collection of taxes, and chapter 536 of the Laws of 1857, entitled An act to amend chapter 13, part 1 of the Revised Statutes, entitled Of the assessments and collections of taxes, and chapter 176 of Laws of 1851,' reported in favor of the passage of the same, with amendments, the title amended so as to read "An act to amend chapter 176 of the Laws of 1851, entitled 'An act to amend the law for the assessment and collection of taxes, and chapter 302 of the Laws of 1859, entitled An act in relation to taxes and assessments in the city of New York, and to amend the several acts in relation thereto, and chapter 536 of the Laws of 1857, entitled An act to amend chapter 13, part 1 of the Revised Statutes, entitled Of the assessment and collection of taxes,'" which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Hogeboom, from the committee on general laws, to which was referred the bill introduced by Mr. Purdy, Int. No. 827, entitled "An act to regulate the manufacturing of gun-powder, nitro-glycerine, giant powder, gun-cotton and other explosives," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Benedict introduced a bill entitled "An act to authorize the town of Deerpark, in the county of Orange, to elect an additional justice of the peace," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Also, a bill entitled "An act to regulate or prohibit the practice of law by county judges, and to prohibit the clerks of surrogates' courts from practicing therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Moody introduced a bill entitled "An act granting certain powers and authority to the trustees of the Harpersville Cemetery Association, in the town of Colesville, Broome county, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent,

Mr. J. G. Graham introduced a bill entitled "An act to legalize the acts of George H. Clark as notary public," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a petition on the same subject, which was read and referred to the same committee.

Mr. Fish moved to lay this order of business on the table for the purpose of taking up the special order of the day.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Speaker announced the special order of the day, being the bill entitled "An act to provide for the better protection of policyholders of life insurance companies;" also, the Senate bill entitled "An act to amend

chapter 277 of the Laws of 1870, entitled 'An act to amend an act entitled An act to amend an act entitled An act for the benefit of married women in insuring the lives of their husbands, passed April 14, 1858,' passed April 18, 1870."

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act to provide for the better protection of policyholders of life insurance companies."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Davenport, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Moody moved that said bill be made a special order for to-morrow evening, immediately upon the convening of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Alvord moved that the House do now adjourn.

Whereupon, at 9 o'clock and 45 minutes, the House adjourned.

## THURSDAY, MARCH 22, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Darling.

The journal of yesterday was read and approved.

The privileges of the floor were granted to the Hon. Jas. J. Mooney.

Indefinite leave of absence was granted to Mr. Santee.

The Senate returned the bill entitled "An act to authorize the payment of certain moneys out of the State treasury to the heir-at-law of James Green, deceased," with a message informing that they had passed the same with the following amendment:

Add after end of section 1 the following:

"The said sum of three hundred and twenty-one dollars and sixty-two cents is hereby appropriated for that purpose, out of any money in the treasury not otherwise appropriated."

The amendment having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

} AYES 87 }  
 } NOES 00 }

Those who voted in the affirmative, were

Alvord	Davenport	Lyon	Sager
Backenstose	Dillmeier	Maher	Sanders
Baker	Dimond	Maynard	Shanley
S. Baldwin	Ecclesine	McFalls	Shannon
M. L. Baldwin	Fay	McGraw	Skinner
Barnes	Fish	McGroarty	Sliter
Benedict	Flecke	McKee	Speaker

Berrigan	Floyd-Jones	Moody	Spicer
Billings	Gallagher	Moore	Stein
Billington	Galvin	Morey	Stone
Bowen	Gere	Nachtmann	Strahan
Bradley	J. S. Graham	Niven	Suydam
Braman	Gulick	O'Hare	Tabor
Brill	Hammond	Orr	Thistlethwaite
E. Case	Hepburn	Piper	Tighe
G. M. Case	Herbst	Post	Valentine
T. A. Case	Hogeboom	Potter	Waddell
Childs	King	Purdy	Webb
Coulter	Lang	Rice	Weiant
Cowdin	Langbein	H. H. Rockwell	Wickes
Cozans	Langner	W. L. Rockwell	Williams
Crowley	Longyear	Ruggles	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendment.

A message from the Senate was received and read, informing of concurrence in the passage of the bills entitled as follows:

"An act to change the name of the Rochester and Pine Creek Railroad Company to that of the Silver Lake Railway Company."

"An act to amend chapter 210 of the Laws of 1867, entitled 'An act to incorporate Washington Fire Engine Company No. 1, in the town of Eastchester, county of Westchester,' passed March 30, 1867."

*Ordered*, That the Clerk deliver said bills to the Governor.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to vacate and cancel certain awards for closing part of Main street in the city of Yonkers, and to authorize the common council of said city to close and discontinue certain parts of said street, without payment of awards heretofore made for the discontinuance of the public use thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to amend chapter 856 of the Laws of 1869, entitled 'An act to amend an act entitled An act to suppress intemperance and to regulate the sale of intoxicating liquors,' passed April 16, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to amend chapter 379 of the Laws of 1875, entitled 'An act to define and limit the liens of contractors and others upon real estate in the city and county of New York, and to provide for the enforcement thereof,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to provide for the sanitary inspection of common schools and school buildings in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to legalize and confirm the proceedings of the common council of the city of Buffalo, in relation to certain streets," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to authorize the election of women to school offices," which



was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Spicer presented a petition of citizens of Jefferson county for the better protection of wild deer in the forests of Lewis, Oneida and Herkimer county; which was read and referred to the committee on game laws.

Mr. Gere presented a petition of citizens of Tioga county, favoring the bill relating to the use of Chenango canal extension, for railroad purposes; which was read and referred to the committee on canals.

Messrs. Gere and Valentine presented petitions of tax-payers of Tioga county in relation to taxation; which were read and referred to the committee on ways and means.

Mr. Corbett presented a remonstrance of citizens of Oneida county against amending chapter 135 of the Laws of 1876, relating to plank-road and turnpike companies; which was read and referred to the committee on general laws.

Mr. Maynard presented a remonstrance of citizens of Middletown, Delaware county, against repeal of the act relating to town auditors; which was read and referred to the committee on general laws.

Mr. Alvord, from the select committee of the Onondaga delegation, to which was referred the bill introduced by Mr. Alvord, printed No. 258, entitled "An act to amend the charter of the city of Syracuse, so far as concerns the reorganization of the fire department of said city," with power to report at any time, and retaining its place on the order of third reading of bills, reported said bill back to the House, with amendments.

By unanimous consent,

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Cowdin, Int. No. 188, entitled "An act fixing the rate of interest for the loan or forbearance of money, goods or things in auction," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

(Messrs. Maynard and Post dissented.)

By unanimous consent,

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Hayes, Int. No. 697, entitled "An act for the improvement of the navigation of the Hudson river, and to make an appropriation therefor," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Husted, Int. No. 833, entitled "An act to amend chapter 272 of the Laws of 1864, entitled 'An act to incorporate the trustees of the Masonic Hall and Asylum Fund,' passed April 21, 1864," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Morey, Int. No. 409, entitled "An act to amend the statutes in reference to the collection of taxes in the different counties in this State," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Husted, Int. No. 618, entitled "An act to provide for the adjustment and payment of a deficiency in the State tax of 1874, arising out of the annexation of the towns of Morrisania, West Farms and Kingsbridge, in the county of Westchester, to the city and county of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Cozans, Int. No. 726, entitled "An act in relation to the St. Joseph's Institution for the improved instruction of deaf-mutes at Fordham, in the county of Westchester," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Alvord, Int. No. 769, entitled "An act relative to the bonded indebtedness of cities, villages, towns and counties," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Weiant, Int. No. 69, entitled "An act to enforce the payment of unpaid taxes, and to authorize the sale of lands for non-payment of the same, in the county of Rockland," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Husted offered for the consideration of the House, a resolution, in the words following:

*Resolved*, That the committee on ways and means be discharged from the further consideration of Assembly bill entitled "An act for the relief of William Russell, and authorizing the city of Troy to refund to said Russell certain moneys paid by him for taxes," and that the same be referred to the committee on affairs of cities.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Husted, from the committee on ways and means, to which was referred the Senate bill entitled "An act to authorize the appointment of an additional physician for the Willard Asylum for the Insane," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Husted, from the committee on ways and means, to which was referred the Senate bill entitled "An act to amend chapter 610 of the Laws of 1874, entitled 'An act to authorize the sale of lands for the non-payment of taxes, and for the collection of unpaid taxes in the several towns of the county of Westchester,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Bowen, from the committee on internal affairs, to which was referred the bill introduced by Mr. Brick, Int. No. 511, entitled "An act providing for the use of a portion of Washington square, at Stapleton, in the village of Edgewater, town of Middletown, and county of Richmond, as a site for a county court-house," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Bowen, from the committee on internal affairs, to which was referred the bill introduced by Mr. Bradley, Int. No. 310, entitled "An act to regulate the sale of ale, beer, lager beer and other fermented liquors," reported adversely thereto.

On motion of Mr. Bradley, said report was laid on the table.

By unanimous consent,

Mr. Bowen, from the committee on internal affairs, to which was referred the bill introduced by Mr. H. H. Rockwell, Int. No. 529, entitled "An act to amend section 13 of an act entitled 'An act to amend an act entitled An act to reduce the number of town officers and town and county expenses, and to prevent abuses in auditing town and county accounts,' passed December 14, 1874," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Bowen, from the committee on internal affairs, to which was referred the bill introduced by Mr. Langbein, Int. No. 340, entitled "An act to amend chapter 549 of the Laws of 1873, entitled 'An act regulating the sale of intoxicating liquors, passed April 11, 1873,' and the act entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors,' passed April 16, 1857," reported adversely thereto.

(Messrs. Nachtmann, Langner and W. L. Rockwell dissented.)

Mr. Langbein moved to disagree with the report of the committee and that said bill be committed to the committee of the whole.

Mr. Husted moved to lay said motion on the table.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Husted, and it was determined in the negative.

{ AYES 45 }  
{ NOES 67 }

Those who voted in the affirmative, were

Baker	Clark	Maynard	Spicer
S. Baldwin	Corbett	McFalls	Stephenson
M. L. Baldwin	Cowdin	McGraw	Taylor
Barnes	Gulick	McKee	Thistlethwaite
Billings	Hammond	Moore	Valentine
Billington	Hayes	Noyes	Waddell
Bowen	Hepburn	Peck	Webb
Braman	Hodges	Post	Welsh
G. M. Case	Husted	Potter	Wickes
T. A. Case	King	Shannon	Williams
Childs	Lang	Skinner	Winch
Clapp			

Those who voted in the negative, were

Alvord	Filkin	Lyon	Ruggles
Backenstose	Fish	Maher	Sager

Benedict	Flecke	McGroarty	Sanders
Berrigan	Floyd-Jones	Mitchell	Shanley
Bissell	Gallagher	Moller	Sheldon
Bradley	Galvin	Moody	Skillman
Brick	Gere	Morey	Sliter
Brill	Grady	Nachtmann	Speaker
E. Case	J. S. Graham	Niven	Spinola
Corsa	Hamilton	O'Hare	Stein
Coulter	Herrick	Orr	Stone
Cozans	Herbst	Piper	Strahan
Crowley	Hogeboom	Proper	Suydam
Davenport	Humphrey	Purdy	Tabor
Dillmeier	Langbein	Rice	Tighe
Dimond	Langner	H. H. Rockwell	Weiant
Ecclesine	Longyear	W. L. Rockwell	

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Langbein and it was determined in the affirmative.

{ AYES 70 }  
{ NAYS 35 }

Those who voted in the affirmative, were

Alvord	Dillmeier	Langner	W. L. Rockwell
Benedict	Dimond	Longyear	Ruggles
Berrigan	Ecclesine	Lyon	Sager
Billington	Flecke	Maher	Sanders
Bissell	Floyd-Jones	McGroarty	Shanley
Bradley	Gallagher	Mitchell	Sheldon
Braman	Galvin	Moller	Sliter
Brick	Gere	Moody	Speaker
Brill	Grady	Morey	Spinola
E. Case	J. S. Graham	Nachtmann	Stein
G. M. Case	Hamilton	Niven	Stephenson
Childs	Hayes	O'Hare	Stone
Corsa	Herrick	Orr	Strahan
Coulter	Herbst	Piper	Suydam
Cowdin	Hogeboom	Purdy	Tabor
Cozans	Holahan	Rice	Tighe
Crowley	Humphrey	H. H. Rockwell	Waddell
Davenport	Langbein		

Those who voted in the negative, were

Backenstose	Clark	McKee	Taylor
Baker	Corbett	Moore	Thistlethwaite
S. Baldwin	Gulick	Noyes	Valentine
M. L. Baldwin	Hepburn	Peck	Weiant
Barnes	Hodges	Post	Welsh
Billings	Husted	Potter	Wickes
Bowen	King	Shannon	Williams
T. A. Case	Maynard	Skinner	Winch
Clapp	McGraw	Spicer	

By unanimous consent,

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Piper, Int. No. 763, entitled "An act

to amend section 9 of chapter 86 of the Laws of 1855, entitled 'An act to amend an act to provide for the incorporation of villages,' passed December 7, 1847, so far as relates to the village of Niagara City in the county of Niagara," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. J. S. Brown, from the committee on game laws, to which was referred the bill introduced by Mr. Longyear, Int. No. 151, entitled "An act to protect salmon trout in Lake Awosting, otherwise called Long Pond, and brook trout in the Beerkill, in the county of Ulster," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. J. S. Brown, from the committee on game laws, to which was referred the bill introduced by Mr. Welsh, Int. No. 209, entitled "An act to provide for the removal of eel weirs and other devices for taking fish from the Delaware river and its branches, and to prevent the maintenance of such devices," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. J. S. Brown, from the committee on game laws, to which was referred the bill introduced by Mr. Smith, Int. No. 379, entitled "An act for the preservation of fish in the waters of Onondaga, Oneida and Cross lakes and their tributaries and outlets in the counties of Onondaga and Oswego," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Shannon, from the committee on claims, to which was referred the bill introduced by Mr. Langner, Int. No. 640, entitled "An act to extend the time for Maria Matilda Thompson to file her claim for damages with the canal appraisers," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Strahan, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to authorize the appointment and provide for the compensation of a stenographer of the special terms of the Supreme Court held in the county of Westchester," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Cowdin, Int. No. 37, entitled "An act authorizing the taxation of stockholders of banks and the surplus funds of savings banks," reported the same for the consideration of the House, with amendments.

By unanimous consent,

Mr. Hodges introduced a bill entitled "An act to provide means for the employment of tramps and to prevent tramping," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Pursuant to 9th joint rule, Mr. Speaker announced the order of business, "third reading of bills."

The bill entitled "An act to amend chapter 395 of the Laws of 1859, entitled 'An act in relation to the colonial history of the State, and the natural history thereof,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Corbett	Longyear	Sanders
Backenstose	Coulter	Lyon	Shanley
Baker	Cowdin	Maher	Shannon
S. Baldwin	Crowley	Maynard	Sheldon
M. L. Baldwin	Davenport	McGroarty	Skinner
Barnes	Dillmeier	McKee	Speaker
Benedict	Ecclesine	Moller	Spicer
Berrigan	Flecke	Morey	Stein
Billings	Floyd-Jones	Neilson	Stephenson
Billington	Gallagher	Niven	Stone
Bissell	Galvin	Noyes	Strahan
Bowen	Grady	Orr	Suydam
Bradley	Hamilton	Peck	Tabor
Braman	Hammond	Piper	Taylor
Brill	Hayes	Post	Thistlethwaite
Bulmer	Healy	Potter	Tighe
E. Case	Hepburn	Proper	Weiant
G. M. Case	Herrick	H. H. Rockwell	Welsh
T. A. Case	Hodges	W. L. Rockwell	Wickes
Childs	Husted	Ruggles	Williams
Clapp	King	Sager	Winch
Clark	Langbein		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act to amend the charter of the city of Brooklyn, and the various amendments thereof, passed June 28, 1873, and to further amend the charter of the city of Brooklyn, as amended by an act passed June 1, 1874, and as further amended by an act for that purpose, entitled 'An act to amend the charter of the city of Brooklyn, being the act for that purpose passed June 28, 1873, and the act for that purpose passed June 1, 1874,' passed June 21, 1875, and as further amended by an act for that purpose, entitled 'An act to amend section 23, title 2 of the amended charter of the city of Brooklyn,' passed June 28, 1873, passed May 15, 1876," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Corsa	King	H. H. Rockwell
Backenstose	Coulter	Langbein	Ruggles
Baker	Cowdin	Langner	Sanders
S. Baldwin	Davenport	Longyear	Shanley
M. L. Baldwin	Dillmeier	Maynard	Shannon
Barnes	Dimond	McGroarty	Skillman
Benedict	Ecclesine	McKee	Skinner
Billington	Filkin	Mitchell	Speaker
Bowen	Flecke	Moller	Spicer
Bradley	Floyd-Jones	Moore	Stein
Braman	Gallagher	Morey	Stephenson
Brick	Grady	Neilson	Stone
Brill	J. S. Graham	Niven	Strahan
J. S. Brown	Gulick	Noyes	Taylor
Bulmer	Hamilton	Orr	Thistlethwaite
E. Case	Hammond	Peck	Tighe
G. M. Case	Hayes	Piper	Valentine
T. A. Case	Herrick	Potter	Webb
Clapp	Herbst	Proper	Weiant
Clark	Hodges	Purdy	Williams
Corbett	Hogeboom	Rice	Wiuch

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the relief of the Kips Bay Methodist Episcopal Church," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative; a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Corbett	Langner	Sanders
Backenstose	Corsa	Longyear	Shanley
Baker	Coulter	Lyon	Shannon
S. Baldwin	Cowdin	Maynard	Skillman
M. L. Baldwin	Cozans	McGraw	Skinner
Barnes	Crowley	McGroarty	Sliter
Benedict	Ecclesine	McKee	Speaker
Berrigan	Flecke	Moller	Spicer
Billington	Floyd-Jones	Moody	Stein
Bissell	Gallagher	Moore	Stephenson
Bowen	Galvin	Morey	Strahan
Bradley	Grady	Neilson	Suydam
Braman	J. S. Graham	Niven	Tabor
Brill	Gulick	Noyes	Taylor
J. S. Brown	Hamilton	Orr	Thistlethwaite
Bulmer	Healy	Peck	Valentine
E. Case	Hepburn	Piper	Webb

G. M. Case	Herriek	Proper	Weiant
T. A. Case	Herbst	Purdy	Wickes
Childs	Hodges	Rice	Williams
Clapp	King	W. L. Rockwell	Winch
Clark	Langbein		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to repeal certain provisions of chapter 4 of the Laws of 1862, entitled 'An act to secure the better application of funds to relieve the poor in the town of Little Falls, Herkimer county,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Corbett	Lyon	Shanley
Backenstose	Cowdin	Maynard	Shannon
Baker	Cozans	McGraw	Sheldon
S. Baldwin	Crowley	McGroarty	Skillman
M. L. Baldwin	Davenport	McKee	Skinner
Barnes	Flecke	Moller	Speaker
Benedict	Floyd-Jones	Moody	Spicer
Berrigan	Gallagher	Moore	Stone
Billington	Galvin	Morey	Strahan
Bissell	Gulick	Neilson	Suydam
Bradley	Hammond	Niven	Taylor
Braman	Hepburn	Noyes	Thistlethwaite
Brill	Herriek	Orr	Tighe
J. S. Brown	Herbst	Post	Valentine
Bulmer	Hodges	Proper	Waddell
E. Case	Keator	Rice	Webb
G. M. Case	King	H. H. Rockwell	Welsh
T. A. Case	Langbein	W. L. Rockwell	Williams
Clapp	Langner	Ruggles	Winch
Clark	Longyear	Sanders	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act supplementary to chapter 273 of the Laws of 1866, entitled 'An act authorizing the incorporation of associations to erect monuments to perpetuate the memory of soldiers who fell in defense of the Union,' passed March 30, 1866," being announced for a third reading,

On motion of Mr. Morey, and by unanimous consent, said bill was amended by striking out of section 1 all after the word "estate," in the last line, and inserting the words "not to exceed in amount the sum or \$25,000, said real estate not to be exempt from taxation."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative,



a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Clark	Langbein	W. L. Rockwell
Backenstose	Corbett	Longyear	Ruggles
Baker	Corsa	Lyon	Sanders
S. Baldwin	Cowdin	McGraw	Shanley
M. L. Baldwin	Crowley	McGroarty	Shannon
Barnes	Davenport	McKee	Skinner
Berrigan	Ecclesine	Moody	Stein
Billings	Flecke	Moore	Stephenson
Billington	Floyd-Jones	Morey	Stone
Bissell	Gallagher	Neilson	Suydam
Bowen	Galvin	Niven	Taylor
Bradley	Gere	Noyes	Thistlethwaite
Braman	Gulick	Orr	Tighe
Brick	Hammond	Peck	Valentine
Brill	Hepburn	Piper	Webb
Bulmer	Herrick	Potter	Weiant
E. Case	Herbst	Proper	Welsh
G. M. Case	Hodges	Rice	Wickes
T. A. Case	Hogeboom	H. H. Rockwell	Winch
Clapp	King		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to release the right, title and interest of the people of the State of New York in and to the proceeds of sale of certain real estate in the town of Middletown, county of Richmond, to Phillipena Schworm, widow of Bernard Schworm, deceased," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Corsa	Longyear	W. L. Rockwell
Backenstose	Crowley	Lyon	Rooney
Baker	Davenport	Maher	Ruggles
S. Baldwin	Ecclesine	Maynard	Sager
M. L. Baldwin	Flecke	McGraw	Sanders
Barnes	Floyd-Jones	McGroarty	Shanley
Benedict	Gallagher	McKee	Skillman
Berrigan	Galvin	Moller	Skinner
Billington	Gere	Moore	Sliter
Bissell	Grady	Morey	Speaker
Bowen	Gulick	Nachtmann	Spicer
Bradley	Hamilton	Neilson	Stein
Braman	Hammond	Niven	Stephenson
Brill	Hayes	Noyes	Stone

J. S. Brown	Healy	Orr	Suydam
Bulmer	Herbst	Peck	Tabor
E. Case	Hodges	Piper	Taylor
G. M. Case	King	Post	Waddell
T. A. Case	Lang	Proper	Webb
Clapp	Langbein	Rice	Weiant
Clark	Langner	H. H. Rockwell	Winch
Corbett			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 767 of the Laws of 1872, entitled 'An act to establish the compensation of county judges and surrogates, pursuant to the fifteenth section of the amended sixth article of the Constitution,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Clark	Longyear	Sheldon
Backenstose	Corbett	Maynard	Skillman
Baker	Coulter	McGroarty	Skinner
S. Baldwin	Cozans	McKee	Sliter
M. L. Baldwin	Crowley	Moller	Speaker
Barnes	Davenport	Moody	Spicer
Benedict	Dillmeier	Moore	Stein
Berrigan	Ecclesine	Nachtmann	Stephenson
Billington	Flecke	Niven	Stone
Bissell	Gallagher	Noyes	Suydam
Bowen	Gere	O'Hare	Tabor
Bradley	J. S. Graham	Orr	Taylor
Braman	Gulick	Piper	Thistlethwaite
Brill	Hayes	Post	Tighe
J. H. Brown	Healy	Proper	Waddell
J. S. Brown	Hodges	H. H. Rockwell	Webb
Bulmer	Hogeboom	W. L. Rockwell	Welsh
E. Case	King	Ruggles	Williams
G. M. Case	Langbein	Sanders	Winch
T. A. Case	Langner	Shannon	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the payment of certain moneys out of the State treasury to the heirs at law of Maria Brimmayer, deceased," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 94 }  
 { NOES 00 }

Those who voted in the affirmative, were

Alvord	Cozans	Langner	Sager
Backenstose	Crowley	Longyear	Sanders
Baker	Davenport	Lyon	Shanley
S. Baldwin	Dimond	Maher	Shannon
M. L. Baldwin	Ecclesine	Maynard	Sheldon
Barnes	Fay	McGraw	Skillman
Benedict	Flecke	McGroarty	Skinner
Berrigan	Floyd-Jones	McKee	Sliter
Billington	Gallagher	Moller	Speaker
Bissell	Galvin	Moody	Spicer
Bradley	Gere	Moore	Stein
Braman	Grady	Morey	Stephenson
Brick	J. S. Graham	Nachtmann	Suydam
Brill	Gulick	Neilson	Taylor
J. H. Brown	Hamilton	Niven	Thistlethwaite
J. S. Brown	Hayes	O'Hare	Tighe
Bulmer	Healy	Orr	Waddell
E. Case	Hepburn	Peck	Webb
G. M. Case	Herrick	Post	Weiant
T. A. Case	Hodges	Rice	Welsh
Clapp	Humphrey	H. H. Rockwell	Wickes
Clark	Husted	W. L. Rockwell	Williams
Coulter	Lang	Ruggles	Winch
Cowdin	Langbein		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the keeping open of the office of the clerk of the county of Schoenectady," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 89 }  
 { NOES 00 }

Those who voted in the affirmative, were

Alvord	Corbett	Humphrey	W. L. Rockwell
Backenstose	Coulter	King	Ruggles
Baker	Cozans	Lang	Sager
S. Baldwin	Crowley	Langbein	Sanders
M. L. Baldwin	Dimond	Longyear	Shanley
Barnes	Ecclesine	Lyon	Shannon
Benedict	Fay	Maher	Sheldon
Berrigan	Flecke	Maynard	Skillman
Billington	Floyd-Jones	McGraw	Sliter
Bissell	Gallagher	McGroarty	Spicer
Bowen	Galvin	McKee	Stein
Bradley	Gere	Moller	Stephenson
Braman	Grady	Moody	Suydam
Brick	J. S. Graham	Moore	Taylor

Brill	Gulick	Morey	Thistlethwaite
J. H. Brown	Hamilton	Nachtmann	Waddell
J. S. Brown	Hammond	Niven	Webb
Bulmer	Healy	Noyes	Weiant
E. Case	Hepburn	Peck	Welsh
G. M. Case	Herrick	Potter	Wickes
T. A. Case	Herbst	Rice	Williams
Clapp	Hodges	H. H. Rockwell	Winch
Clark			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the bill entitled "An act to amend chapter 617 of the Laws of 1873, entitled 'An act regulating the deposit of securities by plate-glass insurance companies,'" with a message informing that they had passed the same, with the following amendments:

Section 1, line 3, after "seventy-three" insert "entitled An act regulating the deposit of securities by plate-glass insurance companies." Strike out "§ 2," in line 5, page 2, and insert before word "every," first line, the following: "Section two of said act is hereby amended so as to read as follows: § 2."

Strike out all of section 4.

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 82 }  
} NOES 00 }

Those who voted in the affirmative, were

Alvord	Corbett	Langbein	Potter
Backenstose	Coulter	Longyear	Proper
Baker	Crowley	Lyon	Rice
S. Baldwin	Dimond	Maher	W. L. Rockwell
M. L. Baldwin	Ecclesine	Maynard	Sager
Barnes	Fay	McGraw	Sanders
Benedict	Fish	McGroarty	Shanley
Berrigan	Flecke	McKee	Shannon
Bissell	Floyd-Jones	Moller	Skillman
Bowen	Gallagher	Moore	Sliter
Bradley	Galvin	Morey	Speaker
Braman	Gere	Nachtmann	Spicer
Brick	Grady	Neilson	Stephenson
Brill	Gulick	Niven	Suydam
J. H. Brown	Hamilton	Noyes	Taylor
J. S. Brown	Hepburn	O'Hare	Thistlethwaite
Bulmer	Herrick	Orr	Waddell
E. Case	Herbst	Peck	Webb
G. M. Case	Hodges	Piper	Weiant
Clapp	Humphrey	Post	Winch
Clark	Lang		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. J. S. Graham presented the report of the sub-committee of the whole; which was laid on the table and ordered printed.

(See Doc. No. 80.)

The bill entitled "An act to amend section 50 of article 3, title 1 of chapter 16 of the first part of the Revised Statutes in relation to highways, amended by chapter 791 of the Laws of 1868, and by chapter 461 of the Laws of 1870," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cozans	Lyon	Sanders
Baker	Crowley	Maher	Shanley
Benedict	Dimond	Maynard	Skillman
Berrigan	Ecolesine	McGraw	Sliter
Billington	Fay	McGroarty	Speaker
Bissell	Fish	McKee	Spicer
Bowen	Floyd-Jones	Moller	Stein
Bradley	Gallagher	Moody	Stephenson
Braman	Galvin	Nachtmann	Stone
Brick	Gulick	Neilson	Strahan
Brill	Hamilton	Niven	Suydam
J. H. Brown	Healy	Noyes	Taylor
J. S. Brown	Herbst	O'Hare	Thistlethwaite
Bulmer	Hodges	Orr	Tighe
G. M. Case	Hogeboom	Piper	Valentine
Clapp	Humphrey	Post	Waddell
Clark	Husted	Rice	Webb
Corsa	Lang	W. L. Rockwell	Weiant
Coulter	Langbein	Rooney	Welsh
Cowdin	Longyear	Sager	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Husted moved to lay this order of business on the table for the purpose of taking up the special order of the day.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Speaker announced the special order of the day, being the bill entitled "An act making appropriation for certain expenses of government and supplying deficiencies in former appropriations."

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Braman, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Husted moved to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered to a third reading, with the amendments adopted in committee of the whole, and that that motion lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Alvord offered for the consideration of the House a resolution, in the words following :

*Resolved*, That on and after Monday, the 26th inst., this House hold evening sessions, commencing at 7½ o'clock, and ending at 10 o'clock P. M., until otherwise ordered, except Monday evening, when the session shall commence at 8 o'clock.

Mr. Grady moved to amend by adding at the end of said resolution the following : " And the morning session shall commence at 10 o'clock."

Mr. Alvord moved the previous question.

Mr. Speaker put the question, " Shall the main question be now put ?" and it was determined in the negative.

{ AYES 36 }  
{ NOES 61 }

Those who voted in the affirmative, were

Alvord	Gallagher	Langbein	Peck
Backenstose	Galvin	Marvin	Piper
Baker	Gere	McGraw	Potter
S. Baldwin	J. S. Graham	McKee	Shannon
Barnes	Hammond	Moody	Skillman
Bissell	Hepburn	Moore	Skinner
Burns	Hodges	Morey	Speaker
Clapp	Holahan	Noyes	Spicer
Coulter	Husted	Orr	Valentine

Those who voted in the negative, were

Benedict	Ecclesine	Maher	Sager
Berrigan	Fay	Maynard	Sanders
Billington	Fish	McFalls	Shanley
Braman	Floyd-Jones	McGroarty	Sliter
Brick	Grady	Mitchell	Spinola
Brill	Gulick	Nachtmann	Stein
J. H. Brown	Hamilton	Neilson	Stephenson
J. S. Brown	Hayes	Niven	Strahan
Bulmer	Herrick	Post	Suydam
G. M. Case	Herbst	Proper	Taylor
Childs	Humphrey	Rice	Tighe
Corsa	King	H. H. Rockwell	Webb
Cozans	Lang	W. L. Rockwell	Weiant
Crowley	Langner	Rooney	Williams
Davenport	Lyon	Ruggles	Winch
Dillmeier			

The hour of 2 o'clock having arrived, the House took a recess until 7½ o'clock P. M.

## HALF-PAST SEVEN O'CLOCK P. M.

The House again met.

Mr. Speaker directed the Clerk to call the roll and ascertain if a quorum was present, when the following members answered to their names:

Alvord	Dimond	McGraw	Sager
Backenstose	Filkin	McGroarty	Sanders
Baker	Floyd-Jones	McKee	Shanley
S. Baldwin	Galvin	Moller	Sheldon
Barnes	Gere	Moody	Skillman
Billington	Grady	Moore	Sliter
Bradley	Hamilton	Morey	Speaker
Braman	Hammond	Nachtmann	Spicer
Brick	Hepburn	Neilson	Stein
Brill	Herrick	Niven	Stephenson
J. S. Brown	Herbst	Orr	Suydam
Bulmer	Hodges	Piper	Taylor
G. M. Case	Humphrey	Post	Thistlethwaite
Clapp	Lang	Potter	Tighe
Coulter	Langbein	Purdy	Valentine
Cowdin	Longyear	Rice	Waddell
Cozans	Lyon	H. H. Rockwell	Weiant
Davenport	Maher	W. L. Rockwell	Wickes
Dillmeier	Maynard	Rooney	

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A quorum of members having answered to their names,

The privileges of the floor were granted to the Hon. John Hanscomb.

By unanimous consent,

Mr. Post, from the committee on State prisons, to which was referred the bill entitled "An act in relation to the imprisonment of convicts in the New York State Reformatory at Elmira, and the government and release of such convicts by the managers," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Speaker announced the pending question to be on the resolution and amendment in the words following:

"*Resolved*, That on and after Monday, the 20th inst., this House hold evening sessions commencing at half-past seven and ending at ten P. M., until otherwise ordered, except Monday evening, when the session shall commence at 8 o'clock.

"Mr. Grady moved to amend by adding at the end of resolution the words 'and the morning session shall commence at ten o'clock.'"

On motion of Mr. Alvord, and by unanimous consent, said resolution and amendment were laid on the table.

Mr. Speaker presented a communication from the Attorney-General in answer to the resolution of the Assembly of March 12, 1877; which was laid on the table and ordered printed.

(See Doc. No. 82.)

The Senate returned the bills entitled as follows:

"An act in relation to running ferry boats by the Union Ferry Company of Brooklyn across the East river."

"An act to regulate the execution and transfer of negotiable instruments given for patent rights."

"An act to authorize the payment of certain moneys out of the State treasury to the heir-at-law of James Green, deceased."

*Ordered*, That the Clerk deliver said bills to the Governor.

Leave of absence was granted to Mr. Corbett.

By unanimous consent,

Mr. Billington introduced a bill entitled "An act to amend chapter 514 of the Laws of 1875, entitled 'An act to provide for the election of police justices in villages,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, by unanimous consent, a bill entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

By unanimous consent,

Mr. Cowdin introduced a bill entitled "An act to provide for the establishment of a botanical garden in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Benedict introduced a bill entitled "An act to revise and amend chapter 370 of the Laws of 1873, entitled 'An act to revise and amend an act entitled An act to incorporate the village of Port Jervis,' passed March 13, 1866, and all acts relating thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

By unanimous consent,

Mr. Hepburn, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Stone, Int. No. 689, entitled "An act to provide for the reincorporation of St. Joseph's church in the city of Rome," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Hepburn, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. E. Case, Int. No. 819, entitled "An act in relation to the American Board of Commissioners for Foreign Missions," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Hepburn, from the committee on charitable and religious societies to which was referred the Senate bill entitled "An act to enable the Orphan's Home and Asylum of the Protestant Episcopal Church, in New York, to acquire and hold real and personal estate, each to the amount of \$300,000," reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Hepburn, from the committee on charitable and religious societies



to which was referred the Senate bill entitled "An act further to amend chapter 117 of the Laws of 1843, entitled 'An act to incorporate the American Baptist Home Mission Society,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Rooney introduced a bill entitled "An act relative to the Board of Public Instruction in the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Longyear introduced a bill entitled "An act to incorporate the Turnwood Association Church, in Turnwood, Ulster county, State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent,

Mr. Langbein introduced a bill entitled "An act for the preservation of the contents of deeds, mortgages and other instruments in writing, filed for record with the register of the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Brill moved that the bill entitled "An act to exempt the counties of Suffolk, Livingston and Otsego from the provisions and operation of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,' passed April 29, 1875," do now have its third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Said bill being announced for a third reading,

On motion of Mr. Alvord, and by unanimous consent, said bill was amended by adding after the word "Monroe" the word "Onondaga."

On motion of Mr. Neilson, and by unanimous consent, after the word "Onondaga" insert the word "Saratoga."

On motion of Mr. Winch, and by unanimous consent, after the word "Saratoga" insert the word "Ontario."

On motion of Mr. W. L. Baldwin, and by unanimous consent, after the word "Ontario" insert the word "Yates."

On motion of Mr. Sliter, and by unanimous consent, after the word "Yates" insert the word "Rensselaer."

On motion of Mr. Orr, and by unanimous consent, after the word "Rensselaer" insert the word "Erie."

On motion of Mr. Taylor, and by unanimous consent, after the word "Erie" insert the word "Genesee."

On motion of Mr. Sanders, and by unanimous consent, after the word "Genesee" insert the word "Schenectady."

The title was amended by adding after the word "Monroe" the words "Onondaga, Saratoga, Ontario, Yates, Rensselaer, Erie, Genesee and Schenectady."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Dillmeier	King	Post
Backenstose	Dimond	Lang	Potter
Baker	Fish	Langbein	Proper
S. Baldwin	Flecke	Langner	Rice
M. L. Baldwin	Floyd-Jones	Longyear	H. H. Rockwell
Barnes	Gallagher	Maynard	W. L. Rockwell
Billington	Galvin	McFalls	Sanders
Bradley	Gere	McGraw	Shanley
Braman	Grady	McGroarty	Sheldon
Brick	J. S. Graham	McKee	Skillman
Brill	Gulick	Moller	Skinner
Burns	Hamilton	Moody	Sliter
E. Case	Hammond	Moore	Spicer
G. M. Case	Hayes	Morey	Spinola
Childs	Healy	Nachtmann	Stephenson
Clapp	Hepburn	Neilson	Taylor
Clark	Herbst	Niven	Valentine
Coulter	Hodges	O'Hare	Waddell
Cowdin	Hogeboom	Orr	Webb
Cozans	Humphrey	Piper	Winch
Davenport	Husted		

Those who voted in the negative, were

Rooney                      Sager

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. McFalls, from the committee on public health, to which was referred the bill introduced by Mr. Hayes, Int. No. 803, entitled "An act to amend the act of incorporation of the New York Hospital for Diseases of the Eye and Ear," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. McFalls, from the committee on public health, to which was referred the Senate bill entitled "An act to amend chapter 358 of the Laws of 1863, entitled 'An act establishing a quarantine and defining the qualifications, duties and powers of the health officer for the harbor and port of New York,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

The bill entitled "An act further to amend chapter 338 of the Laws of 1875, entitled 'An act to amend an act entitled An act for the relief of the surviving members of the First Regiment of New York Volunteers, who served in the war with Mexico,'" being announced for a third reading,

Mr. Purdy moved to recommit said bill to the committee on ways and means for amendment, the same retaining its place on the order of third reading, said committee to report at any time.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Fish moved to lay this order of business on the table for the purpose of taking up the special order of the day.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Moody, Int. No. 730, entitled "An act to amend chapter 330 of the Laws of 1873, entitled 'An act to amend the charter of the village of Deposit, situated partly in the town of Sanford, Broome county, and partly in the town of Tompkins, Delaware county, and to revise and compile the several acts relative to said village,' passed April 29, 1873," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Noyes, Int. No. 840, entitled "An act authorizing the trustees of the village of Saratoga Springs to make certain expenditures for the purpose of purchasing hose and erecting a fire alarm telegraph," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Bowen, Int. No. 745, entitled "An act supplementary to chapter 294 of the Laws of 1831, entitled 'An act to incorporate the village of Plattsburgh and the several acts amendatory thereof,' reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Noyes, from the committee on affairs of villages, to which was referred the Senate bill entitled "An act to increase the number of firemen in the village of Canandaigua," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Alvord moved that when the House adjourns to-night, it be to meet to-morrow morning, at 10 o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order of the day, being the bill entitled "An act to provide for the better protection of policyholders of life insurance companies."

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act to provide for the better protection of policyholders of life insurance companies."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Davenport, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Moody moved that said bill be made a special order for next Monday evening, immediately after the reading of the journal.

Mr. Morey moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Moody, and it was determined in the negative.

On motion of Mr. Alvord, at 10 o'clock and 5 minutes, the House adjourned.

## FRIDAY, MARCH 23, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Reese.

The journal of yesterday was read and approved.

By unanimous consent,

Mr. Backenstose introduced a bill entitled "An act to amend an act entitled 'An act in relation to wills, passed April 23, 1864,' and the acts amendatory thereof, passed May 14, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Also, a bill entitled "An act conferring additional jurisdiction in criminal cases upon justices of the peace in the different towns of this State, and regulating costs in justices' courts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Senate returned the bill entitled as follows:

"An act to amend the charter of the Lafayette Fire Insurance Company of Brooklyn."

*Ordered*, That the Clerk deliver said bill to the Governor.

Mr. Speaker directed the Clerk to call the roll and ascertain if a quorum was present, when the following members answered to their names:

Alvord	Fish	McGroarty	Skinner
Backenstose	Floyd-Jones	McKee	Sliter
Baker	Gallagher	Moller	Speaker
S. Baldwin	Galvin	Moore	Spicer
Barnes	Hamilton	Morey	Spinola
Billington	Healy	Neilson	Stein
Bissell	Herrick	Niven	Stephenson
Bradley	Herbst	Noyes	Suydam
Braman	Hodges	Orr	Tabor
E. Case	Hogeboom	Peck	Taylor
G. M. Case	Humphrey	Piper	Thistlethwaite
Clapp	Husted	Potter	Valentine
Coulter	King	Proper	Waddell
Cowdin	Langbein	H. H. Rockwell	Webb
Cozans	Langner	W. L. Rockwell	Weiant
Dillmeier	Longyear	Ruggles	Welsh
Dimond	Maynard	Sager	Wickes
Fay	McFalls	Sanders	Winch
Filkin	McGraw	Shannon	

A quorum of members having answered to their names,

On motion of Mr. Webb, and by unanimous consent, the bill entitled "An act to release to the estate of Charles Doran, deceased, the right, title and interest of the people of the State of New York in and to certain real estate in the city of Poughkeepsie," was ordered to a third reading.

Mr. Morey offered for the consideration of the House a resolution, in the words following:

*Resolved*, That this House adjourn to-day at half-past 12 o'clock until Monday evening next at 8 o'clock.

Mr. Alvord moved to lay said resolution on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Fish moved to amend by striking out all after the word "day" and inserting in lieu thereof the words "to meet at half-past three this afternoon and adjourn at six."

Mr. Morey moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Fish, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

A message from the Senate was received and read; requesting the concurrence of the Assembly to resolutions in the words following:

*Resolved* (if the Assembly concur), That 1,500 copies of the eighty-ninth and ninetieth reports of the Regents of the University on colleges and academies be printed in the usual form for the use of the Regents, provided that the cost of printing thereof shall not exceed ten cents per page per one hundred copies.

*Resolved* (if the Assembly concur), That 500 copies of the proceedings of the University Convocation for 1876, annexed to the annual report of the Regents of the University be printed in the usual form for the use of the Regents, provided the cost of printing shall not exceed ten cents per page per one hundred copies.

*Resolved* (if the Assembly concur), That 500 copies of the State Commission in Lunacy be printed for the use of said commissioners, provided that the cost of printing thereof shall not exceed ten cents per page per one hundred copies.

Said resolutions being concurrent,

*Ordered*, That the same be laid on the table.

Leave of absence was granted to Messrs. Lang, Davenport and Skillman.

Mr. Husted, from the committee on ways and means, to which was recommitted the bill entitled "An act further to amend chapter 338 of the Laws of 1875, entitled 'An act to amend an act entitled An act for the relief of the surviving members of the First regiment of New York volunteers, who served in the war with Mexico,'" reported back said bill amended, as directed by the House.

Pursuant to 9th joint rule, Mr. Speaker announced the order of business, "third reading of bills."

The bill entitled "An act to authorize the common council of the city of Watertown to cancel and annul a bond executed and delivered to the city of Watertown by Byron D. Adsit, with sureties dated January 6,

1874, and to release and discharge the said Byron D. Adsit and his sureties from all liabilities thereon," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Fay	Maynard	W. L. Rockwell
Backenstose	Filkin	McFalls	Ruggles
Baker	Flecke	McGraw	Sager
S. Baldwin	Floyd-Jones	McGroarty	Sanders
Barnes	Gallagher	McKee	Shanley
Benedict	Galvin	Moller	Shannon
Berrigan	Hamilton	Moore	Skinner
Billington	Hayes	Morey	Sliter
Bissell	Healy	Nachtmann	Speaker
Bowen	Hepburn	Neilson	Spicer
Bradley	Herbst	Niven	Stein
Braman	Hodges	Noyes	Stephenson
E. Case	Hogeboom	Orr	Suydam
G. M. Case	Holahan	Peck	Thistlethwaite
Clapp	Humphrey	Piper	Valentine
Clark	King	Post	Waddell
Cowdin	Langbein	Potter	Webb
Cozans	Longyear	Proper	Welsh
Crowley	Lyon	H. H. Rockwell	Winch
Dimond			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act further to amend chapter 338 of the Laws of 1875, entitled 'An act to amend an act entitled An act for the relief of the surviving members of the First regiment of New York volunteers, who served in the war with Mexico,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dimond	Langner	W. L. Rockwell
Backenstose	Fay	Longyear	Rooney
Baker	Filkin	Lyon	Ruggles
S. Baldwin	Fish	Maynard	Sager
M. L. Baldwin	Flecke	McFalls	Sanders
Barnes	Floyd-Jones	McGraw	Shanley
Benedict	Gallagher	McGroarty	Shannon
Berrigan	Galvin	McKee	Skinner
Billington	Gere	Moller	Sliter

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Bissell	Hamilton	Morey	Speaker
Bradley	Hayes	Nachtmann	Spicer
Braman	Healy	Neilson	Spinola
E. Case	Hepburn	Niven	Stein
G. M. Case	Herrick	Noyes	Stephenson
Clapp	Herbst	Orr	Suydam
Clark	Hodges	Peck	Tabor
Corsa	Hogeboom	Piper	Taylor
Coulter	Holahan	Post	Thistlethwaite
Cowdin	Humphrey	Potter	Valentine
Cozans	Husted	Proper	Waddell
Crowley	King	Rice	Weiant
Dillmeier	Langbein	H. H. Rockwell	Williams

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 264 of the Laws of 1817, entitled 'An act to incorporate the members of the New York Institution for the Instruction of the Deaf and Dumb,'" with amendments thereto," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crowley	Maynard	Ruggles
Backenstose	Dimond	McFalls	Sanders
Baker	Fay	McGraw	Shanley
S. Baldwin	Filkin	McGroarty	Shannon
M. L. Baldwin	Fish	McKee	Skinner
Barnes	Floyd-Jones	Moller	Sliter
Benedict	Gallagher	Morey	Speaker
Berrigan	Galvin	Nachtmann	Spicer
Billington	Hamilton	Neilson	Stein
Bissell	Hammond	Niven	Stephenson
Bowen	Hayes	Noyes	Suydam
Bradley	Herrick	Orr	Tabor
Braman	Herbst	Peck	Taylor
Brick	Hodges	Piper	Thistlethwaite
J. S. Brown	Holahan	Potter	Valentine
E. Case	Humphrey	Proper	Waddell
Clapp	King	Rice	Webb
Clark	Langbein	H. H. Rockwell	Williams
Coulter	Langner	W. L. Rockwell	Winch
Cowdin	Longyear		

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act extending the time for the organization of the New York Loan and Security Company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dimond	Lyon	Sager
Backenstose	Fay	Maynard	Sanders
Baker	Filkin	McFalls	Shanley
S. Baldwin	Fish	McGraw	Shannon
M. L. Baldwin	Floyd-Jones	McGroarty	Sheldon
Barnes	Gallagher	McKee	Skinner
Benedict	Galvin	Moller	Sliter
Berrigan	Gere	Moore	Spicer
Billington	J. S. Graham	Morey	Stephenson
Bissell	Hamilton	Neilson	Suydam
Braman	Hammond	Niven	Tabor
J. S. Brown	Hayes	Noyes	Taylor
E. Case	Healy	Orr	Thistlethwaite
G. M. Case	Hepburn	Peck	Tighe
Clapp	Herrick	Piper	Valentine
Clark	Hodges	Potter	Waddell
Corsa	Humphrey	Proper	Webb
Coulter	King	H. H. Rockwell	Weiant
Cowdin	Langbein	W. L. Rockwell	Williams
Dillmeier	Longyear	Rooney	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 395 of the Laws of 1873, entitled 'An act to alter the system of repairing the highways,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 54 }  
{ NOES 23 }

Those who voted in the affirmative, were

Alvord	Gallagher	McFalls	Speaker
Backenstose	Galvin	McGroarty	Spicer
Baker	Gere	McKee	Stein
Barnes	J. S. Graham	Moller	Stephenson
Braman	Hamilton	Morey	Taylor
J. S. Brown	Hayes	Nachtmann	Thistlethwaite
E. Case	Hodges	Neilson	Tighe
Clark	Hogeboom	Orr	Valentine
Corsa	Holahan	Piper	Waddell
Cowdin	Humphrey	Proper	Webb
Dillmeier	King	Rice	Weiant
Dimond	Langbein	Rooney	Wemple
Fay	Longyear	Skinner	Williams
Floyd-Jones	Maynard		



Those who voted in the negative, were

S. Baldwin	Cozans	Peck	Skillman
M. L. Baldwin	Crowley	H. H. Rockwell	Suydam
Benedict	Fish	Ruggles	Tabor
Bradley	Herbst	Sager	Wickes
Brick	Langner	Sanders	Winch
Clapp	Niven	Shannon	

Mr. Gallagher moved to reconsider the vote by which said bill was lost, and that that motion lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act further to amend chapter 280 of the Laws of 1852, entitled 'An act further to amend the act entitled An act authorizing the incorporation of rural cemetery associations,' passed April 27, 1847," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 77 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dillmeier	Maynard	Ruggles
Backenstose	Dimond	McGraw	Sager
Baker	Floyd-Jones	McGroarty	Sanders
S. Baldwin	Gallagher	McKee	Shanley
M. L. Baldwin	Galvin	Moller	Shannon
Barnes	J. S. Graham	Moore	Skinner
Benedict	Hamilton	Morey	Sliter
Berrigan	Hammond	Nachtmann	Speaker
Bissell	Hayes	Neilson	Spicer
Bradley	Healy	Niven	Spinola
Braman	Hepburn	Noyes	Stein
Brick	Herbst	Peck	Suydam
Brill	Hodges	Piper	Taylor
J. S. Brown	Holahan	Potter	Tighe
G. M. Case	Humphrey	Proper	Valentine
Clapp	King	Rice	Waddell
Coulter	Longyear	H. H. Rockwell	Weiant
Cowdin	Lyon	W. L. Rockwell	Wickes
Cozans	Marvin	Rooney	Winch
Crowley			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Welsh, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act to amend the charter of the city of Syracuse so far as concerns the reorganization of the fire department of said city."

The bill entitled "An act to amend the charter of the city of Syracuse, so far as concerns the reorganization of the fire department of said city," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cozans	Langner	Sanders
Backenstose	Crowley	Maher	Shanley
Baker	Dillmeier	Marvin	Shannon
S. Baldwin	Fay	Maynard	Skillman
M. L. Baldwin	Fish	McFalls	Skinner
Barnes	Floyd-Jones	McGroarty	Sliter
Benedict	Gallagher	McKee	Speaker
Berrigan	Galvin	Moore	Spicer
Billington	J. G. Graham	Morey	Stein
Bissell	J. S. Graham	Nachtmann	Taylor
Bradley	Hayes	Neilson	Thistlethwaite
Braman	Healy	Noyes	Tighe
J. S. Brown	Hepburn	Peck	Waddell
E. Case	Herrick	Piper	Webb
G. M. Case	Herbst	Potter	Weiant
Clapp	Hodges	Rice	Wemple
Clark	Holahan	H. H. Rockwell	Wickes
Corsa	Humphrey	W. L. Rockwell	Williams
Coulter	King	Ruggles	Winch
Cowdin	Langbein	Sager	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 370 of the Laws of 1873, entitled 'An act to revise and amend an act entitled An act to incorporate the village of Port Jervis,' passed March 30, 1866, and all acts relating thereto, passed May 1, 1873," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Ecclesine	Langbein	Santee
Backenstose	Fay	Lyon	Shanley
Baker	Fish	Maynard	Shannon
S. Baldwin	Flecke	McFalls	Skinner
M. L. Baldwin	Floyd-Jones	McGraw	Speaker
Barnes	Gallagher	McGroarty	Spicer
Berrigan	Galvin	McKee	Stein
Billings	Gere	Moore	Stephenson
Billington	J. G. Graham	Morey	Suydam
Bissell	J. S. Graham	Nachtmann	Taylor
Bradley	Hamilton	Neilson	Thistlethwaite
Braman	Hammond	Niven	Tighe

Brill	Hayes	Peck	Valentine
J. S. Brown	Healy	Piper	Waddell
E. Case	Hepburn	Post	Webb
G. M. Case	Herrick	Potter	Weiant
Clapp	Herbst	Rice	Welsh
Corsa	Hodges	H. H. Rockwell	Wemple
Cowdin	Holahan	W. L. Rockwell	Wickes
Cozans	Humphrey	Ruggles	Williams
Dillmeier	Husted	Sanders	Winch
Dimond	King		

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to enable the city of Brooklyn to acquire certain lands lying in Atlantic avenue, decided to be the property of the heirs of John Couenhoven," was read a third time.

• Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 77 }  
{ NOES 90 }

Those who voted in the affirmative, were

Alvord	Clark	King	Ruggles
Backenstose	Corsa	Langbein	Sanders
Baker	Coulter	Longyear	Shanley
S. Baldwin	Cowdin	Maynard	Shannon
M. L. Baldwin	Cozans	McFalls	Skinner
Barnes	Dimond	McGraw	Sliter
Benediot	Fay	McGroarty	Speaker
Berrigan	Fish	McKee	Spicer
Billington	Flecke	Morey	Stein
Bissell	Floyd-Jones	Nachtmann	Stephenson
Bradley	Galvin	Neilson	Suydam
Braman	J. G. Graham	Niven	Taylor
Brick	Hayes	Peck	Thistlethwaite
Brill	Hepburn	Piper	Tighe
J. H. Brown	Herrick	Potter	Valentine
J. S. Brown	Herbst	Purdy	Waddell
E. Case	Hodges	Rice	Weiant
G. M. Case	Humphrey	H. H. Rockwell	Wemple
Childs	Husted	W. L. Rockwell	Winch
Clapp			

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 329 of the Laws of 1871, being an act to amend chapter 800 of the Session Laws of 1866, relative to the taking of lands for the erection of school-houses, or making additions thereto," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cozans	King	W. L. Rockwell
Backenstose	Dillmeier	Langbein	Ruggles
Baker	Dimond	Langner	Sanders
S. Baldwin	Filkin	Longyear	Shanley
M. L. Baldwin	Fish	Lyon	Skinner
Barnes	Flecke	McFalls	Spicer
Benedict	Floyd-Jones	McGraw	Stephenson
Berrigan	Galvin	McKee	Suydam
Billington	Gere	Moody	Taylor
Bissell	J. S. Graham	Moore	Thistlethwaite
Braman	Hamilton	Morey	Tighe
Brick	Hayes	Nachtmann	Valentine
J. H. Brown	Healy	Neilson	Waddell
J. S. Brown	Herrick	Niven	Webb
E. Case	Herbst	Orr	Weiant
G. M. Case	Hodges	Piper	Welsh
Clapp	Holaban	Potter	Wemple
Clark	Humphrey	Rice	Wickes
Coulter	Husted	H. H. Rockwell	Winch
Cowdin	Keator		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act respecting the power of the Union Home and School for the education and maintenance of the children of our volunteers who are left unprovided for, to take and hold real and personal estate," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 77 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cozans	King	Ruggles
Backenstose	Dillmeier	Langbein	Sanders
Baker	Dimond	Longyear	Shanley
S. Baldwin	Fish	Lyon	Shannon
M. L. Baldwin	Flecke	Maynard	Skinner
Barnes	Floyd-Jones	McFalls	Speaker
Berrigan	Gallagher	McGraw	Suydam
Billington	J. G. Graham	McKee	Tabor
Bissell	J. S. Graham	Moller	Taylor
Bradley	Hammond	Moore	Thistlethwaite
Braman	Hayes	Morey	Tighe
Brick	Healy	Nachtmann	Valentine
Brill	Hepburn	Neilson	Waddell
J. H. Brown	Herrick	Niven	Webb
J. S. Brown	Herbst	Orr	Weiant

Bulmer	Hogeboom	Piper	Welsh
E. Case	Holahan	Post	Wemple
Clark	Humphrey	Potter	Wickes
Corsa	Husted	H. H. Rockwell	Winch
Cowdin			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Husted moved to take from the table the motion to reconsider the vote on the bill entitled "An act to amend chapter 395 of the Laws of 1873, entitled 'An act to alter the system of repairing the highways.'"

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion to reconsider, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 85 {  
} NOES 1 {

Those who voted in the affirmative, were

Alvord	Crowley	King	Shanley
Backenstose	Dimond	Langbein	Shannon
S. Baldwin	Fay	Langner	Sheldon
M. L. Baldwin	Floyd-Jones	Maynard	Skinner
Barnes	Gallagher	McFalls	Spicer
Berrigan	Galvin	McGroarty	Spinola
Billington	Gere	McKee	Stein
Bissell	J. G. Graham	Moller	Stephenson
Braman	J. S. Graham	Morey	Suydam
Brick	Gulick	Nachtmann	Tabor
J. H. Brown	Hamilton	Neilson	Taylor
J. S. Brown	Hayes	Niven	Thistlethwaite
Bulmer	Healy	Noyes	Tighe
Burns	Hepburn	O'Hare	Valentine
E. Case	Herrick	Orr	Waddell
G. M. Case	Herbst	Piper	Weiant
Clapp	Hodges	Potter	Welsh
Clark	Hogeboom	Proper	Wemple
Corbett	Holahan	H. H. Rockwell	Wickes
Corsa	Humphrey	Sager	Williams
Cowdin	Husted	Sanders	Winch
Cozans			

For the negative,

Ruggles

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 04 }

Those who voted in the affirmative, were

Alvord	Cowdin	Husted	H. H. Rockwell
Backenstose	Cozans	King	W. L. Rockwell
Baker	Crowley	Langbein	Sager
S. Baldwin	Dimond	Longyear	Sanders
M. L. Baldwin	Fay	Maynard	Shanley
Barnes	Floyd-Jones	McFalls	Shannon
Benedict	Gallagher	McGraw	Skillman
Berrigan	Galvin	McGroarty	Skinner
Billington	Gere	McKee	Speaker
Bissell	J. G. Graham	Mitchell	Spicer
Braman	Gulick	Moller	Suydam
Brick	Hamilton	Morey	Tabor
J. H. Brown	Hammond	Nachtmann	Taylor
J. S. Brown	Hayes	Neilson	Tighe
Bulmer	Healy	O'Hare	Valentine
Burns	Hepburn	Orr	Waddell
E. Case	Herrick	Piper	Weiant
G. M. Case	Hogeboom	Post	Wemple
Clapp	Holahan	Potter	Williams
Corsa	Humphrey	Proper	Winch

Those who voted in the negative, were

Hodges	Niven	Rooney	Sliter
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*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Husted moved to lay this order of business on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Husted moved to take from the table the motion to discharge the committee of the whole from the further consideration of the bill entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations," and that the same be ordered engrossed for a third reading, with amendments adopted in committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Alvord moved to amend said bill by striking out all after the 427th line on page 15, printed bill.

Mr. Gallagher moved to amend by striking out all after line 415, printed bill, down to and including the balance of the section.

Mr. Fish moved to lay the whole subject on the table.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Fish, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Gallagher, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Alvord, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Husted, and it was determined in the affirmative.

[ASSEM. JOURNAL.]

On motion of Mr. Husted, and by unanimous consent, said bill was amended by inserting after line 113, printed bill, the following: "For the commission on city government, for its expenses during the past year the sum of one thousand nine hundred and forty dollars."

Mr. J. S. Graham called from the table the report of the sub-committee of the whole in favor of the passage of the bills entitled as follows:

G. O. 354, No. 345, "An act in relation to the indictment and punishment of criminal offenses committed on railroads within the State."

G. O. 251, No. 249, "An act further to amend chapter 160 of the Laws of 1865, entitled 'An act to incorporate the New York Infant Asylum.'"

G. O. 286, No. 278, "An act to repeal chapter 583 of the Laws of 1869, entitled 'An act relative to the improvement of Mamaroneck harbor, and for the promotion of the public health,' passed May 5, 1869."

G. O. 127, No. 149, "An act to amend chapter 737 of the Laws of 1873, entitled 'An act in relation to the creation and formation of water-works companies in towns and villages of the State of New York,' passed June 12, 1873."

G. O. 116, No. 140, "An act to enable the city of Brooklyn to raise further means for the improvement and sale of certain portions of Prospect park in said city."

G. O. 368, No. 355, "An act in relation to the repaving and improvement of Fourth street, from Division avenue to Grand street, in the city of Brooklyn."

G. O. 348, No. 338, "An act to organize a fire department in the village of Andes, Delaware county."

G. O. 362, No. 349, "An act to establish a fire department in the second school district of the town of Glenville, in the county of Schenectady, and for the government and maintenance of the same." [With an amendment.]

G. O. 372, No. 358, "An act for the relief of school districts wishing to contract with boards of education of cities to educate their children in city schools." [With an amendment.]

G. O. 198, No. 208, "An act to authorize the common council of the city of Buffalo to make an appropriation for the deficiency in the poor fund of 1876, of said city."

G. O. 223, No. 231, "An act to authorize the police department, or board of police of any city in the State of New York, to appoint policemen of district telegraph companies and corporations, to be special patrolmen of the police force of any city, under certain circumstances." [With an amendment.]

G. O. 347, No. 337, "An act to authorize the village of Sag Harbor, Suffolk county, to borrow money for purchasing a steam fire apparatus, with the necessary appurtenances therefor, and to secure a supply of water therefor."

G. O. 352, No. 342, "An act to release to Miles Perry and his legal representatives the title and interest of the people of the State of New York in certain real estate in the town of Riga, and county of Monroe."

G. O. 320, No. 312, "An act to amend chapter 410 of the Laws of 1874, entitled 'An act to authorize towns and villages to provide a sinking fund for the payment of their bonded indebtedness, so far as the same relates to the county of Chautauqua.'"

G. O. 184, No. 198, "An act to amend an act entitled 'An act to establish a local court of civil jurisdiction in the city of Rochester, to be

called the Municipal Court of the city of Rochester, and to amend the charter of said city,' passed May 2, 1876." [With amendments.]

G. O. 238, No. 238, "An act to create a police pension fund for disabled and retired policemen in the city of Brooklyn." [With amendments.]

G. O. 269, No. 266, "An act to amend chapter 71 of the Laws of 1844, entitled 'An act to amend an act for the incorporation of the village of Oxford, and for other purposes.'" [With an amendment.]

G. O. 291, No. 283, "An act to amend chapter 76 of the Laws of 1850, entitled 'An act to revise and consolidate the laws in relation to the village of Whitehall,' passed March 16, 1850, and other acts amendatory thereof."

Senate, G. O. 191, No. 102, "An act to amend chapter 164 of the Laws of 1875, entitled 'An act for the relief of the grand-children of Samuel F. Pratt, late of the city of Buffalo, deceased.'"

G. O. 254, No. 252, "An act to prevent fishing for trout for three years in Owasco lake, in the county of Cayuga."

G. O. 179, No. 193, "An act to confirm the acts of the trustees of the Raquetteville Cemetery Association, of North Potsdam, and to authorize the transfer of the remains of deceased persons buried in the grounds of such association to other grounds, and to authorize the sale and conveyance of the grounds abandoned."

G. O. 145, No. 159, "An act further to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,' passed April 26, 1871." [With amendments.]

G. O. 205, No. 214, "An act to authorize the trustees of the corporation of the village of Portageville, county of Wyoming, to cause an assessment to be made of the taxable property of said corporation, and to be levied and collected a tax sufficient to pay the indebtedness of said corporation."

G. O. 253, No. 251, "An act to amend chapter 389 of the Laws of 1876, entitled 'An act to amend chapter 504 of the Laws of 1875, entitled An act to amend chapter 455 of the Laws of 1874, entitled An act to protect the fisheries of Cross lake, in the county of Onondaga, State of New York; also, of Clyde and Seneca rivers, in the counties of Wayne and Cayuga.'"

The question being on agreeing to said report,

Mr. Mitchell moved to lay said report on the table, so far as relates to the bill entitled "An act to authorize the police department or board of police of any city of the State of New York to appoint policemen of district telegraph companies or corporations, to be special patrolmen of the police force of any city, under certain circumstances."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Spinola moved to disagree with the report, so far as relates to the bill entitled "An act to enable the city of Brooklyn to raise further means for the improvement and sale of certain portions of Prospect park in said city," and that the same be referred to the Members of Assembly from Kings county.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Bradley moved to disagree with the report, so far as relates to



the bill entitled "An act in relation to the repaving and improvement of Fourth street, from Division avenue to Grand street, in the city of Brooklyn," and that the same be committed to the committee of the whole.

Mr. Bradley moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Bradley, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the remainder of the report, and it was determined in the affirmative, and said bills ordered to a third reading.

Mr. Spinola moved to extend the time of session for the purpose of introduction of bills and reports of committees.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Alvord moved that the House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon, at 12 o'clock and 30 minutes, the House adjourned.

## MONDAY, MARCH 26, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Morrow.

The journal of Friday, March 23, was read and approved.

The Senate returned the bills entitled as follows:

"An act to amend the charter of the Lafayette Fire Insurance Company of Brooklyn."

"An act to amend chapter 617 of the Laws of 1873, entitled 'An act regulating the deposit of securities by plate-glass insurance companies.'"

"An act to amend section 7 of chapter 633 of the Laws of 1866, entitled 'An act in relation to the benevolent fund of the late Volunteer Fire Department in the city of New York, passed April 17, 1866,' as amended by chapter 962 of the Laws of 1867, and as further amended by chapter 297 of the Laws of 1870."

*Ordered*, That the Clerk deliver said bills to the Governor.

The private secretary appeared in the Assembly chamber and presented a communication from his excellency the Governor, in words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }  
ALBANY, March 26, 1877.

*To the Assembly:*

I return without my approval Assembly bill No. 85, entitled "An act in relation to the Superintendent of Public Works."

The frauds and crimes in canal management brought to light within the last two years, are well known. They imposed impressive burdens alike upon tax-payers and the boatmen who navigate the canals. If they had not been arrested they would have covered the State with disgrace and brought the canals to ruin.

At the last election the people, by a majority of 451,321 adopted an amendment to the Constitution establishing an entirely new system of canal administration. It provides for the appointment by the Governor, by and with the advice and consent of the Senate, of one Superintendent of Public Works, who is to hold his office during the term of the Governor by whom he is nominated, and by whom he may be suspended or removed at any time, without any action by the Senate. The Governor himself is thus made responsible to the people of the State for the faithful performance of the duties of the Superintendent, whom he is bound to watch over and hold to a rigid accountability. The object of this provision is to hold the Executive head of the State responsible for any further mismanagement of the canals. The Superintendent is "charged with the execution of all laws relating to the repairs and navigation of the canals." "Subject to the control of the Legislature, he shall make the rules and regulations for the navigation or use of the canals." He is to appoint not more than three assistants, who are to be subject to suspension or removal by him. "All other persons employed in the care and management of the canals, except collectors of tolls and those in the department of the State Engineer and Surveyor, shall be appointed by the Superintendent of Public Works, and be subject to suspension or removal by him. The office of Canal Commissioner is abolished from and after the appointment and qualification of the Superintendent of Public Works, until which time the Canal Commissioners shall continue to discharge the duties as now provided by law."

It must be apparent to every one that if the Superintendent was to have any chance of success in organizing this new system, preparing his plans and regulations, selecting his assistants and employees, repairing canals, and getting them ready for navigation at the usual time, it was vitally important that he should be appointed and enter upon the wide field of his duties at the earliest practicable day. Under the amendment, he might have been appointed at any time, but he could not enter upon the duties of his office until he had given the security to be required by law.

In my annual message, communicated to the Legislature on the second day of January last, I called special attention to this subject, and earnestly urged the immediate passage of an act fixing the salary and the amount of security to be given, so that the Superintendent might be appointed and enter at once upon his work, leaving any further legislation that might be found desirable to be perfected at the convenience of the Legislature. This recommendation was disregarded. No bill was introduced until the twenty-second of January, and the one then introduced, as subsequently amended, was encumbered with many useless provisions, calculated to provoke protracted discussion and delay.

It was not until the sixteenth day of March, at the close of the eleventh week of the session, the bill came into the Executive Chamber. Careful consideration had already been given to the selection of a candidate most likely to be acceptable, one who would best meet all the requirements of the position, and for whose management of the canals the Governor might safely hold himself responsible to the people. Realizing the necessity of immediate action, within half an hour after the receipt of the bill I nominated to the Senate a gentleman known and honored throughout the State and Nation, a graduate of our National Military Academy, of distinguished ability as an engineer, and in the organization and discipline of men, and whose personal purity of char-

acter was universally acknowledged. Having no entangling alliances with any canal combinations or party factions, it was believed that he was well fitted for the task of lifting the canal administration out of the difficulties into which it had fallen under the old system, and of placing it upon a higher plane. It was also believed that no man could be in more perfect accord with the spirit of that portion of section nine of the bill under consideration, which declares that "no appointment shall be made for partisan purposes or by reason of political opinions." The nomination was made on the sixteenth of March. It lay in the Senate until the twenty-second of March, when it was taken up and rejected by a strict party vote, in obedience to a determination of a party caucus, as was stated in open executive session upon the floor of the Senate. In the same manner, at the same time, and under the same caucus determination, the nominations of most competent and respectable gentlemen for Superintendent of the Banking Department, Health Officer, Port Warden and Captain of the Port, being all the executive nominations before the Senate for important positions, were rejected.

This action could only be understood as a distinct notice to the Governor that no nomination he might make would be confirmed, unless made in obedience to the choice of the same party caucus. But even if this construction is not warranted, the rules of the Senate recently adopted by the same party majority, will prevent another nomination, unless by unanimous consent, before the first Wednesday in April, and defer action upon it until the third Wednesday in April. Only thirty working days remain between this and the first of May. Within that time the appointments must be made, the repairs on the canals completed, and navigation opened. If an appointment could be made at once, there would be no hope and no possibility that a Superintendent could organize and put into operation the new system provided by the constitutional amendment. The Canal Commissioners foreseeing the fatal result of these delays, have deemed it their duty to proceed, and are proceeding with the work of preparing the canals for opening. It is scarcely necessary to add that any attempt to substitute the new system for the old, after operations have commenced under the latter, would be wholly impracticable. The long delays in passing the act and the action of the Senate since its passage have effectually destroyed the system so far as the approaching season is concerned. No possible alternative is left for opening the canals, except by the action of the Canal Commissioners under the old system, and in accordance with existing statutes.

The question then arises, what will be the effect of the bill under consideration if it shall become a law. Section eight of the bill provides that "the offices of the Superintendent of Canal Repairs and of division, resident and assistant engineers on the line of the canals are hereby abolished." If, therefore, the bill be approved, the entire machinery by which the Commissioners are required to carry on their work will be destroyed. All work upon the canals must at once cease. They can neither be repaired, opened or navigated.

Even if a Superintendent of Public Works was appointed as contemplated by the bill, he would be seriously embarrassed by the cutting off at once of the entire engineering department of the canals. The work done through that department during the last year has been of great importance to the State, whilst the expenses have been largely reduced. The estimates for the current year show a further reduction to an amount believed to be much below what the cost would be under the

plan proposed in the bill. It would be a hazardous experiment and poor economy for the first Superintendent of Public Works to undertake to carry on the operations of the canals without any assistance whatever from the engineering department upon which he must rely for accurate information.

Moreover, this bill makes no provision for the care and custody of the records and papers of these offices. The breaking up of that department and the removal of these records from their appropriate places of deposit, would put them in danger of being lost or stolen, in which case the State would be deprived of most important evidence in the trial of actions against parties charged with fraud and misconduct in regard to canal operations.

For the reasons herein stated, and as the only means now left for opening the canals at all, I am constrained to withhold my approval from this bill.

L. ROBINSON.

Mr. Baker moved that the message of his Excellency the Governor be laid on the table with the bill, and the same be printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Leave of absence was granted to Messrs. Backenstose, Ecclesine and T. A. Case.

By unanimous consent,

Mr. Gallagher, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Backenstose, Int. No. 721, entitled "An act to confirm the proceedings of the town meeting held in Geneva authorizing the raising of money for road and bridge purposes," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Gallagher, from the committee on roads and bridges, to which was referred the bill introduced by Mr. McGroarty, Int. No. 660, entitled "An act to lay out and construct a plank walk on Coney Island Beach," etc., reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Gallagher, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Humphrey, Int. No. 641, entitled "An act to enable the presidents, directors and companies of the Catskill Mountain and Susquehanna turnpike roads to abandon parts of their roads," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Gallagher, from the committee on roads and bridges, to which was referred the Senate bill entitled "An act to amend chapter 554 of the Laws of 1873, entitled 'An act amending chapter 837 of the Laws of 1868, and chapter 623, Laws of 1869, in reference to the laying out, opening and continuing of Brunswick avenue in the town of New Lots, in Kings county,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Alvord called from the table a resolution previously offered by him, and the amendment of Mr. Grady, in the words following:

"*Resolved*, That on and after Monday the 26th inst., this House hold evening sessions, commencing at half-past 7 and ending at 10 P. M., until otherwise ordered, except Monday evening, when the session shall commence at 8 o'clock.

"Mr. Grady moved to amend by adding at the end of resolution the words 'and the morning session shall commence at 10 o'clock.'"

Mr. Alvord offered the following as a substitute:

*Resolved*, That after this date this House will meet at 10½ o'clock in the morning of each day, and take a recess at 2 o'clock in the afternoon, until 8 o'clock in the evening, and finally adjourn for the day at 10½ o'clock, P. M., except that on Fridays and Saturdays there shall be no evening sessions, but on each Friday there shall be a session commencing at 3½ o'clock, P. M., and closing at 6 o'clock, P. M.

Mr. Speaker put the question whether the House would agree to said substitute, and it was determined in the affirmative.

By unanimous consent,

Mr. Floyd-Jones introduced a bill entitled "An act regulating the amount of capital stock for fire and marine insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

By unanimous consent,

Mr. Webb, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Brill, Int. No. 615, entitled "An act to prevent and punish the unlawful taking and carrying away of sand or earth from lands or shores above ordinary high-water mark in the town of Huntington, Suffolk county," asked to be discharged from the further consideration of said bill, and that the same be referred to the committee on the judiciary.

Mr. Speaker put the question whether the House would grant said request, and it was determined in the affirmative.

By unanimous consent,

Mr. Webb, from the committee on commerce and navigation, to which was referred the Senate bill entitled "An act further to amend chapter 569 of the Laws of 1870, entitled 'An act to authorize the sale of lands belonging to and occupied by the Seamen's Retreat, on Staten Island,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Hepburn, from the committee on charitable and religious societies, to which was referred the Senate bill entitled "An act in relation to a fund or property proceeding from the trustees for the society of United Christian Friends, in the city of New York, a religious corporation, or from the congregation or society of said corporation," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Williams introduced a bill entitled "An act to provide for the enlargement of the school house site of joint school district No. 9, of the towns of Ellery and Gerry, in the county of Chautauqua," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Also, a petition on the same subject, which was read and referred to the same committee.

By unanimous consent,

Mr. Cowdin introduced a bill entitled "An act to facilitate the making good of banking capital when reduced by impairment, or otherwise," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on banks.

By unanimous consent,

Mr. Sheldon introduced a bill entitled "An act to protect and preserve the fish in the waters of the Madison brook reservoir, Woodward's pond and the two ponds known as the Leland's ponds in the county of Madison," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Mr. Alvord moved that all orders of business be laid on the table except introduction of bills, reports of committees and general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Taylor introduced a bill entitled "An act to amend chapter 456 of the Laws of 1871, entitled 'An act to amend an act entitled An act to amend the banking laws of this State,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Mr. Smith introduced a bill entitled "An act to authorize the trustees of the village of Skaneateles, in the county of Onondaga, and State of New York, to sell certain real estate, and to raise money by tax for building an engine-house and for other village purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Alvord introduced a bill entitled "An act to amend chapter 384 of the Laws of 1876, entitled An act respecting the powers of the Canal Board and the adjustment of tolls," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. J. H. Brown introduced a bill entitled "An act in relation to sheriffs' fees, except in the counties of New York, Kings and Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Childs introduced a bill entitled "An act to repeal chapter 250 of the Laws of 1853, entitled 'An act relating to incorporated banks, banking associations and individual bankers located in the city of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Also, a bill entitled "An act to amend chapter 228 of the Laws of 1849, entitled 'An act to enforce the responsibility of stockholders in certain banking corporations and associations, as prescribed by the Constitution, and to provide for the prompt payments of demands against such corporations and associations,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Mr. Grady, on behalf of Mr. Ecclesine, introduced a bill entitled "An act to assist the government of the United States on certain conditions to make a navigable channel from the Hudson to the East river, and to make an appropriation therefor," which was read the first time, and by

unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Grady introduced a bill entitled "An act to amend the charter of Long Island City," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Corsa introduced a bill entitled "An act relative to certain officers in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Burns moved that the Senate bill entitled "An act to amend chapter 641 of the Laws of 1867, entitled 'An act for the relief of the Co-operative Iron Founders' Association of Troy,'" be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. McGroarty introduced a bill entitled "An act to amend chapter 536 of the Laws of 1872, entitled 'An act for lighting the streets in the town of New Lots, in the county of Kings, with gas,' passed May 6, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, a petition on the same subject, which was read and referred to the same committee.

Mr. Speaker presented a memorial of the common council of the city of New York for the passage of a law authorizing the mayor of said city to appoint an additional member of the board of estimate and apportionment; which was read and referred to the committee on affairs of cities.

Also, a petition of citizens of Oswego county for a law equalizing taxation; which was read and referred to the committee on ways and means.

Also, the remonstrance of J. F. Rawson to the passage of a bill to create the office of fire marshall in Richmond county; which was read and referred to the committee on internal affairs.

Mr. Hepburn presented the petition of Harriet K. Willy for the State to release certain lands to her; which was read and referred to the committee on aliens.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Herrick, Int. No. 305, entitled "An act in relation to Congress Hall," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Stein, Int. No. 720, entitled "An act authorizing the erection of a new Capitol," reported the same for the consideration of the House, with amendments.

Mr. Husted offered for the consideration of the House a resolution, in the words following:

*Resolved* (if the Senate concur), That the Commissioners of the Land Office be required, without delay, to examine into the matters in difference in regard to the lease of the property known as Congress Hall to Adam Blake, and if, upon such examination, it shall be found that a balance shall be due to the State, the Attorney-General be and he is hereby required to proceed to collect such balance.

Said resolution being concurrent,

*Ordered*, That the same be laid on the table.

Mr. Hogeboom, from the committee on general laws, to which was referred the bill introduced by Mr. J. S. Graham, Int. No. 241, entitled "An act to amend an act entitled 'An act for the incorporation of societies or clubs for certain purposes,' passed May 12, 1875," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hogeboom, from the committee on general laws, to which was referred the Senate bill entitled "An act to amend chapter 628 of the Laws of 1874, entitled 'An act for the incorporation of villages,' passed April 20, 1870," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. McGroarty, Int. No. 38, entitled "An act to amend the charter of the city of Brooklyn, and the various amendments thereof, passed June 28, 1873, which act was amended by chapter 589 of the Laws of 1874, and chapter 633 of the Laws of 1875, and to further amend the charter of the city of Brooklyn," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. J. G. Graham, Int. No. 629, entitled "An act to authorize the city of Newburgh to borrow money and issue bonds therefor for the payment of certain water bonds of said city heretofore issued, and to provide for the payments thereof," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Marvin, Int. No. 280, entitled "An act to amend an act to amend the charter of the city of Brooklyn, and the various amendments thereof, passed June 28, 1873, and to further amend the charter of the city of Brooklyn," asked to be discharged from the further consideration of said bill, and that the same be referred to the committee on internal affairs.

On motion of Mr. Fish, said bill was laid on the table.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Cowdin, Int. No. , entitled "An act to provide for stability of construction and security against conflagration, panic or other accidents in theaters hereafter to be erected in the city or State of New York," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. , Int. No. , entitled "An act to provide for perfecting and perpetuating the right and title of the city of New York to property, water, water rights and privileges heretofore taken or used, or which may be hereafter taken or used by said city to increase the supply of pure and wholesome water for the use of said city, and to provide for the payment and extinguishment of all claims or damages growing out of such taking or using," reported the same for the consideration of the House.

Mr. Fish, from the committee on affairs of cities, to which was referred



the bill introduced by Mr. Purdy, Int. No. 761, entitled "An act to amend chapter 515 of the Laws of 1874, entitled 'An act to amend an act entitled An act to reorganize the local government of the city of New York,' passed April 30, 1873, passed May 21, 1874," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Spinola, and by unanimous consent, the memorial accompanying the bill entitled "An act to provide for perfecting and perpetuating the right and title of the city of New York to property, water, water rights and privileges heretofore taken or used, or which may be hereafter taken or used by said city to increase the supply of pure and wholesome water for the use of said city, and to provide for the payment and extinguishment of all claims or damages growing out of such taking or using," was ordered printed, and the same to be placed on the file of the members.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Gallagher, Int. No. 748, entitled "An act to authorize the mayor and common council of the city of Buffalo to make an appropriation to reimburse claimants for advances made to construct buildings for Taylor Hose Company No. 1, of Buffalo," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Stephenson, Int. No. 710, entitled "An act to provide for the creation of a board of charities, and for a better administration of the public charities in the county of Kings," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

(Messrs. Mitchell, McGroarty and Tabor dissented.)

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Corsa, Int. No. 740, entitled "An act to amend an act to provide for a uniform system for the repavement of streets, avenues and public places in the city of New York," passed May 28, 1875," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Langbein, Int. No. 777, entitled "An act relating to the payment of assessments for local improvements in the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill entitled "An act to amend chapter 497 of the Laws of 1874, entitled 'An act to amend the charter of the city of Poughkeepsie, and to consolidate with it other acts relating to said city,'" asked to be discharged from the further consideration of said bill, and that the same be referred to the committee on the judiciary.

Mr. Webb moved that said request be denied, and that said bill be committed to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Waddell, from the committee on civil divisions, to which was referred the bill introduced by Mr. Braman, Int. No. 734, entitled "An act to amend chapter 139 of the Laws of 1870, entitled 'An act to annex

parts of the towns of Bethlehem and Watervliet, in the county of Albany, to the city of Albany, and to exempt such parts thereof from certain taxes, and to annex a part of the city of Albany to the town of Watervliet," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to authorize the trustees of incorporated rural cemeteries to register the lots thereof, and to impose a tax upon the lot owners in said cemeteries."

"An act to amend section 31 of article 3, of title 2 of chapter 13 of part first of the Revised Statutes, in relation to the equalization of assessments by boards of supervisors."

"An act to amend chapter 667 of the Laws of 1872, entitled 'An act in relation to the cleaning of the streets, avenues, lanes, alleys, gutters, wharves, piers and head-slips in the city of New York, and the removal of all ashes, garbage, rubbish and sweepings, and all dead animals, blood, offal and other refuse matter, and all bones, fish not fit for human food, and all diseased, tainted and impure meats, and other like matters in said city, therefrom, and in relation to the supervision and enforcement of and the cancellation of existing contracts and arrangements in respect thereto,' passed May 14, 1872."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Hamilton, from said committee, reported in favor of the passage of said first mentioned bill, with amendments; which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Hamilton, from said committee, also reported progress on said second and third mentioned bills, and asked and obtained leave to sit again.

Mr. Alvord moved that the House do now adjourn.

Whereupon, at 10 o'clock and 35 minutes, the House adjourned.

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## TUESDAY, MARCH 27, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Madison.

The journal of yesterday was read and approved.

Mr. Speaker presented the thirty-third annual report of the Superintendent of Public Instruction and the Regents of the University on the New York State Normal School at Albany; which was laid on the table and ordered printed.

(See Doc. No. 89.)

Mr. Alvord offered for the consideration of the House a resolution, in the words following:

*Whereas*, There appears to be a want of uniformity in the resolutions adopted by the House in reference to limiting the time to be allowed members to speak in debate, the resolution adopted on the 13th inst. providing that "in all discussions during the remainder of this session, in the House and in committee of the whole, no member shall occupy in speaking more than five minutes at one time;" and the resolution adopted on the 19th inst. providing "that upon the consideration of special orders,

either in committee of the whole or in the House, no member shall speak longer than five minutes upon any question ;" therefore,

*Resolved*, That on and after this date no member shall be allowed to consume more than five minutes of time in speaking upon any one question, whether in committee of the whole on general or special orders or in the House, except by consent of a majority of the members present.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Welsh offered for the consideration of the House a resolution, in the words following :

*Whereas*, It is represented that the judicial department of the sixth district of this State has been greatly weakened, to the material detriment of the public interests therein, by the inefficiency and inability to act on the part of one of the judges thereof; therefore,

*Resolved*, That the committee on the judiciary be empowered and directed to send for persons and papers, to inquire into the condition of the Supreme Court of the said sixth judicial district, of the causes of failure of courts therein, and as to the deficiency of the judicial force therein, and that they report thereon with all convenient speed and recommend the adoption of such measures as the public interests may require.

Said resolution giving rise to debate,

*Ordered*, That the same be laid on the table.

By unanimous consent,

Mr. Valentine introduced a bill entitled "An act to amend or repeal the incorporation of the Clyde and Rose Plank-road Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Bradley offered for the consideration of the House a resolution, in the words following :

*Resolved* (if the Senate concur), That when this House adjourns on Thursday evening, March 29, it be to meet on Monday evening, April 2.

Said resolution being concurrent,

*Ordered*, That the same be laid on the table.

By unanimous consent,

Mr. Marvin introduced a bill entitled "An act to repeal chapter 813 of the Laws of 1869, entitled 'An act for the payment of the fees of the sheriff of the county of Kings for the confinement of prisoners in civil process,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Also, a bill entitled "An act to amend chapter 667 of the Laws of 1876, entitled 'An act to incorporate the Brooklyn Library Building Fund Association of the Eastern District,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Proper introduced a bill entitled "An act to amend section 1 of chapter 722 of the Laws of 1873, entitled 'An act to authorize the electors at elections for town officers to fix by ballot the place for holding town elections in the respective towns of this State,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Sliter introduced a bill entitled "An act in relation to the reduction of tolls on the plank-road or highway leading in an easterly direction from the city of Troy, N. Y., to the town of Berlin, Rensselaer county, N. Y.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent,

Mr. Sliter introduced a bill entitled "An act to authorize the commissioners of highways of the town of East Greenbush, Rensselaer county, to take possession of the private burying-ground owned by the Van Rensselaer family, situate in said town, for the purpose of laying out a public road through the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Pursuant to 9th joint rule, Mr. Speaker announced the order of business, "third reading of bills."

Mr. Alvord moved that said order of business lay upon the table, for the purpose of taking up the order of business, "general orders."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Clapp presented a petition of W. F. Weston, supervisor, and sixty citizens of the town of Wilmington, for the passage of a bill establishing the line between towns of Jay and Wilmington, in the county of Essex; which was read and referred to the committee on civil divisions.

By unanimous consent,

Messrs. Williams, Webb, Thistlethwaite and Valentine presented four petitions, for a law regulating assessment and taxation; which were read and referred to the committee on ways and means.

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act to amend section 3 of chapter 443 of the Laws of 1876, entitled 'An act supplemental to the act entitled An act to revise the charter of the city of Syracuse,' passed March 3, 1857, and the acts amendatory thereto, passed June 2, 1876."

"An act to amend chapter 667 of the Laws of 1872, entitled "An act in relation to the cleaning of the streets, avenues, lanes, alleys, gutters, wharves, piers and heads of slips in the city of New York, and the removal of all ashes, garbage, rubbish and sweepings, and all dead animals, blood, offal and other refuse matter, and all bones, fish not fit for human food, and all diseased, tainted and impure meats, and other like matters in said city, therefrom, and in relation to the supervision and enforcement of and cancellation of existing contracts and arrangements in respect thereto,' passed May 14, 1872."

"An act to amend section 3, article 2, title 6, chapter 6, part 1 of the Revised Statutes, in relation to the election of President and Vice-President."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. O'Hare, from said committee, reported in favor of the passage of said first mentioned bill, with amendments; which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. O'Hare, from said committee, also reported progress on said second mentioned bill, and asked and obtained leave to sit again.

Mr. Cowdin moved to discharge the committee of the whole from the further consideration of said bill and that the same be ordered to a third reading, with the amendments adopted in the committee of the whole.

Mr. Strahan moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Cowdin, and it was determined in the affirmative.

Said bill was ordered engrossed for a third reading.

Mr. Cowdin offered for the consideration of the House a resolution, in the words following:

*Resolved*, That said bill be recommitted to the committee on affairs of cities with instructions to strike out the amendments adopted in committee of the whole in section 4, on the motion of Mr. Cozans.

Mr. Husted moved to lay said resolution on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. O'Hare, from said committee, also reported progress on said third mentioned bill, and asked and obtained leave to sit again.

Mr. Hepburn moved that the committee of the whole be discharged from the further consideration of said bill and that the same be ordered to a third reading, and on that motion moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Hepburn, and it was determined in the affirmative.

} AYES 61 }  
} NOES 47 }

Those who voted in the affirmative, were

Alvord	Corsa	Keator	Skillman
Baker	Cowdin	King	Skinner
S. Baldwin	Fay	Langbein	Smith
M. L. Baldwin	Filkin	Marvin	Speaker
Barnes	Fish	McKee	Spicer
Billings	Gallagher	Moody	Stephenson
Billington	Gere	Moore	Strahan
Bowen	Gilbert	Morey	Suydam
Braman	J. S. Graham	Noyes	Taylor
J. S. Brown	Gulick	Peck	Valentine
E. Case	Hammond	Post	Waddell
T. A. Case	Hayes	Potter	Webb
G. M. Case	Hepburn	Santee	Welsh
Clapp	Hodges	Shannon	Williams
Clark	Husted	Sheldon	Winch
Corbett			

Those who voted in the negative, were

Benedict	Flecke	McGroarty	Rooney
Berrigan	Floyd-Jones	Moller	Ruggles
Bissell	Galvin	Nachtmann	Sager
Brick	Grady	Neilson	Sanders

Brill	Hamilton	Niven	Sliter
J. H. Brown	Herrick	O'Hare	Spinola
Bulmer	Holahan	Piper	Stein
Burns	Humphrey	Proper	Stone
Childs	Langner	Purdy	Tabor
Coulter	Longyear	Rice	Tighe
Cozans	Lyon	H. H. Rockwell	Wemple
Dillmeier	Maynard	W. L. Rockwell	

When the name of Mr. Hogeboom was called, he asked to be, and was excused from voting.

Said bill was ordered engrossed for a third reading.

Mr. Alvord offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of Senate bill No. 113, entitled "An act to provide for the collection of unpaid city taxes in the city of Syracuse," and that the same be referred to the delegation in this House from the county of Onondaga.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate returned the bill entitled "An act making appropriations for the support of Government," with a message informing that they had agreed to the report of the committee of conference on said bill, in the words following:

*To the Legislature:*

Your committee of conference, to which were referred the matters of difference between the two Houses, upon the bill entitled "An act making appropriations for the support of Government," report that they met and have duly considered such matters of difference, and have agreed to recommend that the Assembly do concur in the following amendments to the bill, as proposed and adopted by the Senate (reference in all cases being made to the engrossed bill), viz:

Page 1. Change the paragraph commencing on line 23 so as to read as follows: "For the purchase of a furnished Executive mansion, fifty thousand dollars, or so much thereof as may be necessary. The Governor, Speaker of the Assembly and President, *pro tem.* of the Senate, are hereby appointed a commission to make such purchase. In case such purchase be not made, the sum of seven thousand five hundred dollars is hereby appropriated for the rent of a suitable furnished Executive residence for the Governor."

Page 2. After line 23 insert the following: "For the Justices of the Supreme Court in the second judicial district, not residing in the county of Kings, for additional compensation, pursuant to chapter seven hundred and sixty-five of the Laws of eighteen hundred and sixty-eight, five thousand dollars; and for the stenographer appointed under said act, three thousand five hundred dollars. Said amounts to be paid only from moneys which shall have been or shall be paid into the treasury for taxes levied for the purposes of said act and in pursuance thereof."

Page 5. Line 14, strike out the word "seventeen" and insert the word "twelve." Same page, line 32, after the word "dollars" insert the words "and the further sum of twenty-five thousand dollars for compensation of employes and clerk hire of the department and expenses of examinations of insurance companies."

Page 28. Line 21, strike out the words "hall for." Same page, line 33, strike out the word "fuel."

Page 16. After line 26, insert a new paragraph as follows: "For the support of Mark Jack, an insane Indian, and of Susan Green, an insane Indian woman, at the asylum, two hundred and fifty dollars each." Same page, line 29, strike out the words "eight thousand" and insert the words "nine thousand five hundred."

Page 17. Line 1, strike out the word "thirty" and insert the word "forty." Same page, line 27, strike out the word "thirty" and insert the word "twenty."

Page 18. Line 19, strike out the word "capital." Same page, line 20, strike out the paragraph commencing on line 20, as follows: "For investment of the common school fund, in loans to any of the towns or counties of this State for the erection of public buildings, or the purchase of land therefor, fifty thousand dollars, or so much thereof as may be necessary."

And your committee do further report that they have agreed to recommend that the Assembly do concur in the following items and amendments as proposed by the Senate, upon being amended in conference so as to read as follows:

Page 10. Line 28, strike out the word "twenty," and insert the word "fifteen." Add at the end of line 29 the following: "Hereafter the compensation to sheriffs for conveying a convict to a State prison from the county prison, for each mile actually traveled, fifteen cents; for conveying two convicts, for each mile so traveled, twenty cents; for conveying three convicts, for each mile so traveled, twenty-five cents; and for conveying four or more convicts, for each mile so traveled, seven and one-half cents each, with one dollar per day for the maintenance of each convict while on the way to a State prison, but not exceeding one dollar for every thirty miles of travel, in full of all charges and expenses in the premises."

Page 14. Strike out the paragraph commencing on line 9, and insert in lieu thereof the following: "For the commissioners to revise the Statutes, appointed under chapter 33 of the Laws of 1870, for their expenses for clerical services and other incidental matters, three thousand dollars, said commissioners are to serve without compensation from and after the 30th day of September, 1877, as proposed by them."

And your committee do further report that they have agreed to recommend that the Senate do recede from the following amendments to the bill as proposed in the Senate:

Page 8. Strike out paragraph commencing on line 27 as follows: "For the persons employed in making drawings for the Natural History of the State for salary, to be paid in such manner as may be determined by the Secretary of State and the secretary of the board of Regents, two thousand five hundred dollars."

Page 10. Line 9, after the words "State prisons," insert the words "and the State reformatory at Elmira." Same page, line 16, after the words "State prisons," insert the words "and the State reformatory at Elmira."

Page 7. Line 30, strike out the word "four" and insert the word "three." All of which is respectfully submitted.

J. W. HUSTED,  
GEORGE I. POST,  
DANIEL BRADLEY,

*Assembly Committee.*

HAMILTON HARRIS,  
D. A. MOORE,

*Senate Committee.*

Mr. Husted moved that the House concur in said report.

Mr. Cozans moved to amend by excepting so much of said report as relates to the item in words following:

Add at the end of line 29 the words "Hereafter the compensation to sheriffs for conveying a convict to a State prison from the county prison, for each mile actually traveled, fifteen cents; for conveying two convicts, for each mile so traveled, twenty cents; for conveying three convicts, for each mile so traveled, twenty-five cents; and for conveying four or more convicts, for each mile so traveled, seven and one-half cents each, with one dollar per day for the maintenance of each convict while on the way to a State prison, but not exceeding one dollar for every thirty miles of travel, in full of all charges and expenses in the premises."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Cozans, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to remainder of said report, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 87 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Dillmeier	Langbein	Shannon
Baker	Filkin	Longyear	Sheldon
S. Baldwin	Fish	Lyon	Skillman
M. L. Baldwin	Flecke	Marvin	Skinner
Barnes	Floyd-Jones	Maynard	Sliter
Billings	Gallagher	McGroarty	Smith
Bissell	Galvin	McKee	Spicer
Braman	Gere	Moody	Stein
Brick	Gilbert	Morey	Stephenson
Brill	Grady	Nachtmann	Stone
Bulmer	J. S. Graham	Neilson	Strahan
E. Case	Gulick	Niven	Suydam
T. A. Case	Hammond	Noyes	Tabor
Childs	Hayes	Peck	Taylor
Clapp	Hepburn	Piper	Thistlethwaite
Clark	Herrick	Post	Tighe
Corbett	Hodges	Rice	Valentine
Corsa	Hogeboom	H. H. Rockwell	Webb
Coulter	Holahan	W. L. Rockwell	Wemple
Cowdin	Husted	Ruggles	Wicks
Cozans	Keator	Santee	Winch
Crowley	King	Shanley	

For the negative,

Spinola

Mr. Cozans then moved to discharge the committee of conference from the further consideration of that item and that a new conference committee be appointed on the part of the House on the matters in difference, and a like committee be requested on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker appointed as such committee of conference Messrs. Cozans, Marvin, Strahan, Langbein and Lyon.



By unanimous consent,

Mr. Braman offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of Senate bill No. 129, entitled "An act to amend chapter 12 of the Laws of 1848, entitled 'An act in relation to the city of Troy.'" Also, Senate bill No. 130, entitled "An act to amend chapter 129 of the Laws of 1872, entitled 'An act to amend an act passed May 3, 1870, entitled An act to amend an act to incorporate the city of Troy,'" and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Shannon offered for the consideration of the House a resolution, in the words following:

*Resolved*, That Senate bill, G. O. 313, entitled "An act authorizing and confirming a lease made by Benjamin Lewis and other Seneca Indians to George A. Berry, of the right to transmit crude petroleum oil through a pipe over certain lands on the Allegany reservation, and authorizing said George A. Berry to use such lands for that purpose," be referred to the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. J. S. Graham presented the report of the sub-committee of the whole; which was laid on the table and ordered printed.

(See Doc. No. 87.)

By unanimous consent,

Mr. Noyes, from the committee on affairs of villages, to which was referred the Senate bill entitled "An act to amend chapter 683 of the Laws of 1871, entitled 'An act amending, revising and consolidating the several acts in relation to the village of Greenbush,' passed March 22, 1854, and April 29, 1863," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Noyes, from the committee on affairs of villages, to which was referred the Senate bill entitled "An act to amend chapter 564 of the Laws of 1872, entitled 'An act to amend the charter of the village of Carthage, Jefferson county,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Noyes, from the committee on affairs of villages, to which was referred the Senate bill entitled "An act further to amend chapter 510 of the Laws of 1869, entitled 'An act to amend an act entitled An act to incorporate the village of Flushing,' passed April 15, 1837, and the several acts amendatory thereof, passed March 20, 1857," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Cowdin offered for the consideration of the House a resolution, in the words following:

*Resolved*, That Assembly bill No. 408, entitled "An act authorizing

the taxation of stockholders of banks and the surplus of savings banks," be made a special order for Thursday morning next, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

By unanimous consent,

Mr. Clark, from the committee on petitions of aliens, to which was referred the Senate bill entitled "An act to release to Edward Kennedy and others, the right, title and interest of the people of the State of New York to certain real estate in the city of New York," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Clark, from the committee on petitions of aliens, to which was referred the Senate bill entitled "An act to release to Margery Farren the right, title and interest of the people of the State of New York in and to certain real estate in the city of Brooklyn," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Clark, from the committee on petitions of aliens, to which was referred the Senate bill entitled "An act to confirm the title of certain persons to real estate questioned by reason of alienage of former owners," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gallagher offered for the consideration of the House a resolution, in the words following:

*Resolved,* That bill No. 373, entitled "An act to amend an act entitled 'An act relating to fares for carrying passengers on street railroads in the city of Buffalo,'" be referred to the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

On motion of Mr. J. S. Graham, and by unanimous consent, the Senate bill entitled "An act to amend chapter 129 of the Laws of 1872, entitled 'An act to amend an act passed May 3, 1870, entitled An act to amend an act to incorporate the city of Troy,' passed April 12, 1816, and the several acts amendatory thereof, and also to amend other acts relating to the city of Troy," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined, in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 83 {  
} NOES 00 {

Those who voted in the affirmative, were

Alvord	Cowdin	Langner	Santee
Baker	Crowley	Longyear	Shanley
S. Baldwin	Dillmeier	Marvin	Shannon
M. L. Baldwin	Filkin	McGroarty	Skillman
Barnes	Fish	McKee	Skinner

Benedict	Flecke	Moody	Smith
Berrigan	Floyd-Jones	Moore	Speaker
Billington	Gallagher	Morey	Spicer
Bissell	Galvin	Nachtmann	Stephenson
Bowen	Gilbert	Neilson	Stone
Braman	J. S. Graham	Niven	Suydam
Brick	Gulick	Noyes	Tabor
Brill	Hammond	Peck	Taylor
Bulmer	Hepburn	Piper	Thistlethwaite
E. Case	Herrick	Post	Tighe
T. A. Case	Hodges	Potter	Valentine
Clapp	Hogeboom	Proper	Webb
Clark	Husted	H. H. Rockwell	Wemple
Corbett	Keator	W. L. Rockwell	Williams
Corsa	King	Ruggles	Winch
Coulter	Langbein	Sanders	

*Ordered,* That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

On motion of Mr. J. S. Graham, and by unanimous consent, the Senate bill entitled "An act to amend chapter 12 of the Laws of 1848, entitled 'An act in relation to the city of Troy, as amended by chapter 210 of the Laws of 1849, entitled An act to amend an act entitled An act in relation to the city of Troy,' passed January 28, 1848," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dillmeier	Marvin	Shanley
S. Baldwin	Fay	Maynard	Shannon
M. L. Baldwin	Fish	McGroarty	Skillman
Barnes	Flecke	McKee	Skinner
Benedict	Floyd-Jones	Moller	Sliter
Berrigan	Gallagher	Moody	Smith
Billington	Gilbert	Moore	Speaker
Bissell	J. S. Graham	Morey	Spicer
Braman	Gulick	Nachtmann	Stein
Brick	Hamilton	Neilson	Stone
Brill	Hammond	Niven	Suydam
Bulmer	Hepburn	Noyes	Tabor
E. Case	Herrick	Peck	Taylor
T. A. Case	Hodges	Piper	Thistlethwaite
Clapp	Hogeboom	Post	Tighe
Clark	Humphrey	Potter	Waddell
Corbett	King	H. H. Rockwell	Webb
Corsa	Langbein	W. L. Rockwell	Wemple
Coulter	Langner	Sanders	Wickes
Cowdin	Longyear	Santee	Winch
Crowley			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The hour of 2 o'clock having arrived, the House took a recess until 8 o'clock P. M.

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### EIGHT O'CLOCK P. M.

The House again met.

Pursuant to 9th joint rule, Mr. Speaker announced the order of business, "third reading of bills."

Mr. Alvord moved that said order of business lay upon the table, for the purpose of taking up the order of business, "general orders."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Alvord submitted the following privileged report:

The special committee, composed of the delegation from the county of Onondaga, to which was referred bill No. 189, entitled "An act to provide for the collection of unpaid city taxes and local assessments in the city of Syracuse," now upon the order of third reading, with power to report at any time, and to which also was referred Senate bill No. 113, with the same title, beg leave respectfully to report such Senate bill No. 113, as amended by said committee, as a substitute for the Assembly bill above mentioned.

C. E. SMITH,  
T. G. ALVORD,  
C. FRED. HERBST.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act in relation to the Superintendent of State Prisons, and for their more efficient and economical management."

"An act to amend chapter 559 of the Laws of 1874, entitled 'An act to incorporate the Niagara Grand Island Bridge Company.'"

"An act for the reduction of the salaries and compensation of certain officers and clerks in the cities of this State."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Hodges, from said committee, reported in favor of the passage of said first mentioned bill, with amendments, the title amended by striking out the word "their" and inserting in lieu thereof the word "the," and adding at the end of title the words "of said prisons;" which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Hodges, from said committee, also reported in favor of the passage of said second mentioned bill, with amendments; which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Hodges, from said committee, also reported progress on said third mentioned bill, and asked and obtained leave to sit again.

Mr. Fish moved to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 68 }  
{ NOES 31 }

Those who voted in the affirmative, were

S. Baldwin	Fay	Langbein	Ruggles
Berrigan	Fish	Langner	Sheldon
Billings	Flecke	Longyear	Skinner
Billington	Gere	Maynard	Smith
Bradley	Gilbert	McFalls	Speaker
J. H. Brown	J. G. Graham	McKee	Spicer
E. Case	J. S. Graham	Moller	Stephenson
G. M. Case	Hamilton	Moody	Strahan
T. A. Case	Hammond	Moore	Suydam
Clapp	Hayes	Morey	Tabor
Clark	Healy	Noyes	Taylor
Corbett	Hepburn	Peck	Thistlethwaite
Corsa	Herrick	Piper	Valentine
Cowdin	Hodges	Purdy	Webb
Cozans	Husted	Rice	Weiant
Crowley	Keator	H. H. Rockwell	Wickes
Dillmeier	King	W. L. Rockwell	Williams

Those who voted in the affirmative, were

Alvord	Gallagher	Marvin	Sliter
Benedict	Galvin	McGroarty	Spinola
Bissell	Grady	Nachtmann	Stein
Brick	Gulick	Neilson	Tighe
Brill	Herbst	Niven	Welsh
J. S. Brown	Holahan	Proper	Wemple
Burns	Lyon	Sanders	Winch
Coulter	Maher	Shanley	

By unanimous consent,

Mr. Alvord offered for the consideration of the House a resolution, in the words following:

*Resolved*, That so much of Rule 40 as prohibits the referring of escheat bills to the sub-committee of the whole be suspended, so that the Speaker and Clerk may be permitted to refer said bills to said committee.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. J. G. Graham offered for the consideration of the House a resolution, in the words following:

*Resolved*, That Senate bill No. 88, entitled "An act to regulate the reinsurance of the policy obligations of life insurance companies," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

On motion of Mr. Fish, at 10 o'clock and 35 minutes, the House adjourned.

## WEDNESDAY, MARCH 28, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Bartlett.

The journal of yesterday was read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to further amend chapter 402 of the Laws of 1854, entitled 'An act for the better security of mechanics and others erecting buildings in the counties of Westchester, Oneida, Cortland, Broome, Putnam, Rockland, Orleans, Niagara, Livingston, Otsego, Lewis, Orange and Dutchess,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act authorizing the removal of the female convicts confined in the State prison at Sing Sing, and the confinement of females hereafter convicted of felony, in the county penitentiaries of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

"An act to amend chapter 166 of the Laws of 1874, entitled 'An act to incorporate the Maritime Association of the port of New York,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to repeal chapter 142 of the laws of 1873, entitled 'An act to amend chapter 97 of the Laws of 1869, entitled An act to incorporate the trustees of the Minard fund for the benefit of widows and orphans of deceased preachers of the Genesee annual conference,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to amend chapter 176 of the Laws of 1876, entitled 'An act supplementary to chapter 60 of the Laws of 1813, entitled An act to provide for the incorporation of religious societies, and the acts supplementary thereto,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to amend chapter 323 of the Laws of 1853, entitled 'An act to authorize religious corporations to change their names,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to release and convey to Caroline Kertz the interest of the people of the State of New York in certain real estate in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

"An act to release and convey to Mary Graham the interest of the people of the State of New York in certain real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

"An act to amend chapter 36 of the Laws of 1873, entitled 'An act to provide for a supply of water in the city of Yonkers,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to amend chapter 366 of the Laws of 1859, entitled 'An act to establish an insurance department,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act to confirm the proceedings of the town meeting held in Geneva, authorizing the raising of money for road and bridge purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend chapter 512 of the Laws of 1867, entitled 'An act to incorporate the village of Hart's Falls, in the county of Rensselaer,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to extend the time to complete the city and county hall in the city of Buffalo, and the term of the commissioners appointed for that purpose," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to authorize the Union Plank-road Company, its lessees or assigns, to change the location of a part of the track of said road in the city of Kingston," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend chapter 654 of the Laws of 1869, entitled 'An act authorizing the construction of a railroad through certain streets in the city of Poughkeepsie, and through certain streets and roads in the town of Poughkeepsie, in the county of Dutchess,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to amend chapter 475 of the Laws of 1867, entitled 'An act enabling national banking associations to become State banking associations, and to amend the banking laws of this State,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to amend chapter 667 of the Laws of 1870, entitled 'An act to incorporate the Brooklyn Library Building Fund Association of the Eastern District,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Moller introduced a bill entitled "An act further to amend chapter 776 of the Laws of 1870, entitled 'An act to amend an act entitled An act to provide for the incorporation of villages, passed December 7, 1847, and the several acts amendatory thereof,' so far as the same relates to the village of Mount Vernon, in the county of Westchester, and to declare, enlarge and define the powers and duties of the officers of said village, and to confirm and extend the powers of the corporation of said village, passed May 10, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Pursuant to 9th joint rule, Mr. Speaker announced the order of business, "third reading of bills."

Mr. Alvord moved that the order of business third reading of bills be laid on the table for the purpose of taking up the order of business introduction of bills and reports of standing committees.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Welsh called from the table a resolution previously offered by him, in the words following:

*Whereas*, It is represented that the judicial department of the sixth district of this State has been greatly weakened, to the material detriment of the public interests therein, by the inefficiency and inability to act on the part of one of the judges thereof; therefore,

*Resolved*, That the committee on the judiciary be empowered and directed to send for persons and papers, to inquire into the condition of the Supreme Court of the said sixth judicial district, of the causes of failure of courts therein and as to the deficiency of the judicial force therein, and that they report thereon with all convenient speed and recommend the adoption of such measures as the public interests may require.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. King introduced a bill entitled "An act to amend chapter 341 of the Laws of 1876, entitled 'An act regulating the forfeiture of life insurance policies,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Hogeboom introduced a bill entitled "An act authorizing the Secretary of State to compile the laws relating to taxes and assessments, and the powers and duties of local officers in relation thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Tabor introduced a bill entitled "An act to amend section 1 of chapter 177 of the Laws of 1855, entitled 'An act authorizing the construction of a bridge or dam, or both, across the creek or portion of Niagara river which separates Tonawanda or White's Island from the main land,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. McKee introduced a bill entitled "An act to amend chapter 90 of the Laws of 1865, entitled 'An act to amend and consolidate the several acts relating to the village of Ilion,' passed March 8, 1865," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, a bill entitled "An act to amend an act entitled 'An act to secure the better application of funds to relieve the poor in the town of Little Falls, in the county of Herkimer,' passed February 7, 1862," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Spicer introduced a bill entitled "An act to legalize the acts of R. W. Higgins as notary public of Jefferson county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Sheldon introduced a bill entitled "An act to provide for the pay-



ment, before they are due, of a portion of the town bonds issued and sold under authority conferred by chapter 398, Laws of 1866, to aid in the construction of the New York and Oswego Midland railroad, and subsequent acts amendatory thereof and supplemental thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Hayes introduced a bill entitled "An act to incorporate the New York Pipe Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Stone introduced a bill entitled "An act to provide for the labor assessed by commissioner of highways of the town of Camden, Oneida county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. J. G. Graham introduced a bill entitled "An act defining the duties of receivers of insolvent life insurance companies, and regulating the assets of such companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Fish introduced a bill entitled "An act to incorporate Patterson Lodge, No. 273, Independent Order of Odd Fellows of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Hamilton introduced a bill entitled "An act to amend sections 75 and 76 of the charter of the city of Kingston," which was read the first time, and by unanimous consent was also read the second time, when

On motion of Mr. Hamilton, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crowley	Longyear	Ruggles
Baker	Dillmeier	Lyon	Sanders
S. Baldwin	Dimond	Marvin	Shanley
M. L. Baldwin	Fish	Maynard	Shannon
Barnes	Flecke	McFalls	Sheldon
Berrigan	Floyd-Jones	McGraw	Skillman
Billington	Galvin	McKee	Skinner
Bissell	Gilbert	Moody	Speaker
Bradley	Grady	Morey	Spicer
Braman	J. G. Graham	Nachtmann	Stein
Brick	Gulick	Neilson	Stone
Brill	Hamilton	Niven	Strahan
J. H. Brown	Hammond	O'Hare	Suydam
J. S. Brown	Hayes	Orr	Tabor
E. Case	Healy	Peck	Thistlethwaite
T. A. Case	Hepburn	Piper	Valentine
Clapp	Herbst	Potter	Waddell

Clark	Hodges	Proper	Webb
Corbett	Holahan	Rice	Welsh
Coulter	Humphrey	H. H. Rockwell	Wickes
Cowdin	Keator	W. L. Rockwell	Winch
Cozans	Langner		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Webb introduced a bill entitled "An act to amend an act entitled 'An act to increase the pay of all town assessors,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Tabor introduced a bill entitled "An act to legalize the official acts and proceedings of J. Henry Underhill, a justice of the peace of the town of Boston, in the county of Erie, and authorizing him to take and file an oath of office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Purdy offered for the consideration of the House a resolution, in the words following:

*Resolved*, That Assembly bill No. 263, entitled "An act to provide for payment for the use and occupation of the rooms occupied by the several courts provided for by chapter 329 of the Laws of 1874, entitled 'An act to re-enact and amend an act entitled An act to provide for the annexation of the towns of Morrisania, West Farms and Kingsbridge, in the county of Westchester, to the city and county of New York,' passed May 23, 1873," be recommitted to the committee on affairs of cities for amendment, said bill to retain its place on general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker and the Clerk presented the following bills as referred to the sub-committee of the whole:

G. O. 140, No. 155, "An act to release the interest of the people of the State of New York in certain real estate in the city of Troy, to Catharine Maginnis."

G. O. 141, No. 156, "An act to release to Mary Kinney the right, title and interest of the people of the State of New York, in and to certain real estate in the city of Utica."

G. O. 142, No. 157, "An act to release the interest of the people of the State of New York in certain real estate to Mary Jetton."

G. O. 143, No. 158, "An act to release the interest of the people of the State of New York in certain real estate in the city of Brooklyn, county of Kings, to Ellen Allman, widow of Otto Allman."

G. O. 218, No. 226, "An act to release the interest of the State in certain lands of which Michael Schmitts died seized, to Katharine Schmitts."

G. O. 311, No. 302, "An act to release the interest of the people of the State of New York in and to all moneys arising from the sale in partition of certain real estate premises, situate in the city of Buffalo, and to rents collected therefrom, to August Steinhoff, William Steinhoff and Philip Steinhoff."

Senate, G. O. 464, No. 146, "An act to release to Edward Kennedy and others, the right, title and interest of the people of the State of New York to certain real estate in the city of New York."

Senate, G. O. 465, No. 143, "An act to release to Margery Farren the

right, title and interest of the people of the State of New York in and to certain real estate in the city of Brooklyn."

Senate, G. O. 466, No. 152, "An act to confirm the title of certain persons to real estate questioned by reason of alienage of former owners."

Senate, G. O. 144, No. 74, "An act to release to Mary Rolph the right, title and interest of the people of the State of New York in and to certain real estate in the town of Ridgeway, Orleans county."

A message from the Senate was received and read, informing of concurrence in the passage of the bills entitled as follows:

"An act to incorporate the Grand Lodge of the Ancient Order of United Workmen of the State of New York."

"An act to release certain lands which have escheated to the State, to Sarah Henesy, widow of John Fagan, late of Saratoga Springs, New York."

"An act in relation to keeping open the office of the clerk of the county of Schenectady."

"An act to change the name of the Rochester and Pine Creek Railroad Company to that of the Silver Lake Railroad Company."

"An act to release the interest of the people of the State of New York in certain real estate in the city of New York to Letitia Hanson."

"An act to provide for the completion of the census or enumeration of the inhabitants of this State."

"An act to amend chapter 270 of the Laws of 1876, entitled 'An act to incorporate the Grand Army of the Republic Soldiers' Home of the State of New York,' passed May 15, 1876."

*Ordered*, That the Clerk deliver said bills to the Governor.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act in relation to the Superintendent of Public Works," which was read the first time, and by unanimous consent was also read the second time, when,

On motion of Mr. Baker, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }  
{ NAYS 21 }

Those who voted in the affirmative, were

Alvord	Cozans	Longyear	Sager
Baker	Crowley	Lyon	Sanders
S. Baldwin	Dillmeier	Maynard	Santee
M. L. Baldwin	Dimond	McFalls	Shanley
Barnes	Fay	McGraw	Shannon
Benedict	Flecke	McGroarty	Sheldon
Berrigan	Floyd-Jones	Moller	Skillman
Billings	Gallagher	Moody	Sliter
Billington	Galvin	Moore	Speaker
Bissell	Grady	Nachtmann	Spicer
Bowen	Hamilton	Neilson	Stein
Bradley	Hammond	Niven	Stone

Braman	Healy	Noyes	Tabor
Brick	Hepburn	Orr	Taylor
Brill	Herrick	Piper	Thistlethwaite
J. H. Brown	Herbst	Potter	Tighe
Bulmer	Hodges	Proper	Valentine
Burns	Hogeboom	Purdy	Waddell
E. Case	Humphrey	Rice	Webb
G. M. Case	Keator	H. H. Rockwell	Welsh
T. A. Case	King	W. L. Rockwell	Wemple
Clapp	Lang	Rooney	Wickes
Corbett	Langner	Ruggles	Williams
Cowdin			

Those who voted in the negative, were

J. S. Brown	J. G. Graham	McKee	Smith
Clark	J. S. Graham	Morey	Stephenson
Corsa	Gulick	Peck	Strahan
Coulter	Hayes	Post	Suydam
Fish	Langbein	Skinner	Winch
Gilbert			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

Mr. Hogeboom moved to reconsider the vote by which said bill was passed, and that that motion lay on the table.

Mr. Speaker put the question whether the House would agree to said motion to lay on the table, and it was determined in the negative.

{ AYES 25 }  
{ NOES 79 }

Those who voted in the affirmative, were

S. Baldwin	Gilbert	Keator	McKee
Billington	J. G. Graham	King	Morey
J. S. Brown	J. S. Graham	Langbein	Peck
Clark	Gulick	Longyear	Smith
Corsa	Hayes	McFalls	Strahan
Coulter	Hogeboom	McGraw	Winch
Fish			

Those who voted in the negative, were

Alvord	Cozans	McGroarty	Skillman
Baker	Crowley	Moody	Skinner
M. L. Baldwin	Dillmeier	Moore	Speaker
Barnes	Dimond	Neilson	Spicer
Benediot	Fay	Niven	Spinola
Berrigan	Flecke	Orr	Stein
Billings	Floyd-Jones	Piper	Stone
Bissell	Gallagher	Potter	Suydam
Bowen	Galvin	Proper	Tabor
Bradley	Grady	Rice	Taylor
Braman	Hammond	H. H. Rockwell	Thistlethwaite
Brick	Healy	W. L. Rockwell	Tighe
Brill	Hepburn	Rooney	Valentine
Bulmer	Herrick	Ruggles	Waddell
Burns	Herbst	Sager	Webb

E. Case	Hodges	Sanders	Welsh
G. M. Case	Humphrey	Santee	Wemple
Clapp	Langner	Shanley	Wickes
Corbett	Lyon	Shannon	Williams
Cowdin	Maynard	Sheldon	

Mr. Hogeboom then withdrew his motion to reconsider.

On motion of Mr. Alvord, and by unanimous consent, the committee on banks was discharged from the further consideration of the Senate bill entitled "An act to amend chapter 475 of the Laws of 1867, entitled 'An act enabling National banking associations to become State banking associations, and to amend the banking law of this State, and said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 76 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Dillmeier	King	W. L. Rockwell
S. Baldwin	Fay	Langbein	Ruggles
M. L. Baldwin	Fish	Longyear	Sager
Berrigan	Flecke	Lyon	Sanders
Billings	Floyd-Jones	McFalls	Santee
Billington	Gallagher	McGraw	Shanley
Bowen	Galvin	McGroarty	Shannon
Bradley	J. G. Graham	McKee	Skillman
Braman	Gulick	Moody	Skinner
Brick	Hamilton	Morey	Speaker
Brill	Hammond	Nachtmann	Spicer
J. S. Brown	Hayes	Neilson	Stein
Bulmer	Healy	Niven	Stephenson
G. M. Case	Herrick	Orr	Stone
T. A. Case	Herbst	Peck	Suydam
Clark	Hodges	Piper	Thistlethwaite
Corsa	Holahan	Potter	Waddell
Coulter	Humphrey	Rice	Wickes
Cowdin	Keator	H. H. Rockwell	Williams

Those who voted in the negative, were

Maynard      Tabor

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

Mr. J. S. Graham presented the report of the sub-committee of the whole; which was laid on the table and ordered printed.

(See Doc. No. 91.)

Mr. J. S. Graham offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the sub-committee of the whole be discharged from the consideration of Assembly bill No. 279, entitled "An act to change the bulk-head and pier lines for Newtown creek in the port of New York," and that the same be referred to the committee on the judiciary, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Welsh, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to secure better public administration within the city and county of New York."

"An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations."

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Hogeboom, Int. No. 703, entitled "An act to exclude from the right of suffrage any person convicted of having received a bribe for voting," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Flecke, Int. No. 8, entitled "An act to amend an act relative to judgments entered upon forfeited recognizances in the city and county of New York," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. J. G. Graham, Int. No. 847, entitled "An act to legalize the acts of George H. Clark as notary public," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Hollahan, Int. No. 759, entitled "An act regulating the sale of leaf tobacco in the State of New York," reported adversely thereto, which report was agreed to.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Orr, Int. No. 606, entitled "An act to amend an act entitled 'An act for the more effectual protection of married women,'" reported adversely thereto, which report was agreed to.

Mr. Strahan, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to amend chapter 379 of the Laws of 1875, entitled 'An act to define and limit the liens of contractors and others upon real estate in the city and county of New York, and to provide for the enforcement thereof,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the Senate bill entitled "An act in relation to the recorder's court in the city of Utica," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to confirm the official acts of William J. Merritt as notary public of Kings county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to legalize the proceedings of

the annual town meeting of the town of Westchester, in the county of Westchester, in relation to the purchase of fire apparatus, and to provide for carrying the same into effect," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Burns, Int. No. 692, entitled "An act to amend an act in relation to the Troy water-works," reported adversely thereto. (Mr. Mitchell dissented.)

On motion of Mr. Burns, said report was laid on the table.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Herrick, Int. No. 590, entitled "An act in relation to repaving and constructing drain in Hudson avenue, in the city of Albany," reported in favor of the passage of the same, with amendments, the title amended so as to read "An act in relation to repaving Hudson avenue in the city of Albany," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Sanders, Int. No. 810, entitled "An act in relation to the laying out of a public ground in the Fourth ward of the city of Schenectady and authorizing the common council to borrow money for that purpose," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill entitled "An act to authorize the city of Utica to borrow money for the purpose of erecting a police station-house and lock-up therein, and to make necessary repairs to the city hall building," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. J. G. Graham, from the committee on insurance, to which was referred the bill introduced by Mr. Floyd-Jones, Int. No. 860, entitled "An act regulating the amount of capital stock for fire and marine insurance companies," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Speaker presented a remonstrance of the New York Board of Marine Underwriters against the proposed change of the pilot commissioners; which was read and referred to the committee on commerce and navigation.

Mr. Spicer presented a petition of citizens of Jefferson county for an act to reduce officers' salaries; which was read and referred to the committee on ways and means.

Mr. J. S. Brown presented a petition of citizens of Cayuga county for an act for the taxation of property in this State and for levying taxes thereon according to its true value in money; which was read and referred to the committee on ways and means.

Mr. Keator presented a petition of town officers of Shawangunk, Ulster county, for the repeal of that part of highway law relating to planting of shade trees; which was read and referred to the committee on roads and bridges.

Mr. H. H. Rockwell presented a petition of citizens of Chemung county for the passage of the act for the assessment and taxation of all property

in this State according to its true value; which was read and referred to the committee on ways and means.

Mr. Skinner presented a petition of citizens of Jefferson county upon same subject; which was read and referred to the committee on ways and means.

Also, a petition of citizens of Jefferson county protesting against the repeal or modification of the civil damage act; which was read and referred to the committee on internal affairs.

Also, a petition of citizens of Watertown for the erection of an additional ward in said city; which was read and referred to the committee on affairs of cities.

Also, a petition of citizens of Jefferson county for a general reduction of official salaries; which was read and referred to the committee on ways and means.

Also, a petition of the citizens of Lewis county, for the enactment of a law authorizing the Governor to appoint game constables; which was read and referred to the committee on ways and means.

Mr. Bissell presented a petition of citizens of Niagara county, in relation to assessment and taxation; which was read and referred to the committee on ways and means.

Mr. Winch presented several petitions of citizens of the town of Richmond, for the repeal of laws prohibiting fishing in Honeoye lake in said town; which were read and referred to the committee on game laws.

Also, a petition of citizens of Ontario county, for the passage of an act for the assessment and taxation of all the property in this State, and for levying taxes thereon according to its true value in money; which was read and referred to the committee on ways and means.

Messrs. Benedict, McGraw, Taylor, Thistlethwaite, Proper and Gulick presented petitions relative to assessment and taxation; which were read and referred to the committee on ways and means.

Messrs. McKee and Gilbert presented a petition of citizens of Herkimer county, relative to appointment of special game constables; which were read and referred to the committee on ways and means.

Mr. Benedict presented a remonstrance against the passage of an act to amend the charter of the village of Port Jervis; which was read and referred to the committee on affairs of villages.

Mr. J. G. Graham, from the committee on insurance, presented a portion of the testimony taken before them, relative to matters of life insurance, pursuant to resolutions of the House; which was laid on the table and ordered printed.

(See Doc. No. 93.)

Mr. McKee, from the committee on banks, to which was referred the bill introduced by Mr. Taylor, Int. No. 864, entitled "An act to amend chapter 456, Laws of 1871, entitled 'An act to amend the banking laws of this State,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. McKee, from the committee on banks, to which was referred the bill introduced by Mr. Childs, Int. No. 869, entitled "An act to amend chapter 226 of the Laws of 1849, entitled 'An act to enforce the responsibility of stockholders in certain banking corporations as prescribed by the Constitution, and to provide for the prompt payments of demand against such corporations and associations,'" reported in favor of the



passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. McKee, from the committee on banks, to which was referred the Senate bill entitled "An act in relation to bankers and brokers," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Skinner, from the committee on public printing, reported in favor of the adoption of the following resolution :

*Resolved* (if the Senate concur), That there be printed as follows: One thousand extra copies of the annual report of the Trustees of the State Library, for the use of said trustees, to be bound in paper covers.

One thousand extra copies of the report of the State Engineer and Surveyor on Canals, for the use of that officer, five hundred copies to be bound in cloth, and five hundred in paper.

Two thousand five hundred extra copies of the fifty-eighth annual report of the New York Institution for the Instruction of the Deaf and Dumb, for the officers of said institution, without lithographic plates, to be bound in paper.

Two thousand five hundred extra copies of the twenty-third annual report of the Superintendent of Public Instruction, for distribution by that officer, to be bound in cloth.

One thousand extra copies of the second annual report of the Central New York Institution for Deaf-Mutes, for the use of said institution.

One thousand extra copies of the sixth annual report of the Le Couteulx St. Mary's Institution for the Improved Instruction of Deaf-Mutes, for the use of said institution.

Five hundred extra copies of the tenth annual report of the New York Institution for the Improved Instruction of Deaf Mutes, for the use of said institution, to be bound in paper.

Twenty-four hundred copies, bound in cloth, of the report of the State Engineer and Surveyor on Railroads, for the year ending September 30, 1876; also, ten copies of said report for each Senator, Member, officer and reporter of the Senate and Assembly, the whole expense thereof to be refunded to the treasury of the State by an equitable assessment by the Comptroller, on the several railroad companies of this State.

Thirty-five hundred copies of the annual report of the Superintendent of the Insurance Department for the year ending December 31, 1876, bound in cloth, as follows: Fifteen hundred copies of the fire and marine report, and two thousand copies of the life report, bound separately; also, ten copies of each report for each Senator, Member, officer and reporter of the Senate and Assembly, the whole expense thereof to be refunded to the treasury of the State, by an equitable assessment by the Comptroller, on the several insurance companies of this State.

Also, that the Assembly concur in the adoption of the resolutions of the Senate to print as follows:

Twenty-five hundred extra copies of the report of the commission to devise a plan for the government of cities in the State of New York, to be bound in paper.

Five hundred extra copies of the annual report of the Treasurer of the State of New York for the use of that officer, to be bound in paper.

Two thousand extra copies of the twenty-eighth annual report of the Managers of the Western House of Refuge for Juvenile Delinquents for the use of the managers, the same to be furnished without accompanying lithographic plates, and to be bound in paper.

Fifteen hundred extra copies of the tenth annual report of the State Board of Charities for the use of the board, five hundred copies to be bound in muslin and one thousand copies in paper covers, to be furnished without accompanying lithographic plates.

One thousand extra copies of the annual report of the Board of Managers of the State Reformatory at Elmira, for the use of the managers of that institution, to be bound in paper.

One thousand extra copies of the eighth annual report of the New York State Blind Asylum at Batavia for the use of the officers thereof, to be bound in paper.

One thousand extra copies of the annual report of the Commissioners of Fisheries of the State of New York, for the use of said commissioners, to be bound in paper.

Also, that the Assembly concur in the adoption of the resolutions of the Senate, amended so as to read as follows:

One thousand extra copies of the eighth annual report of the trustees of the Willard Asylum for the use of the asylum, to be bound in paper.

Five hundred extra copies of the annual report of the Commissioners of Quarantine for the use of the board, to be printed without maps or plates and to be bound in paper.

Two thousand extra copies of the annual report of the Board of Managers of the New York State Lunatic Asylum at Utica, for the use of the managers thereof, and without lithographic plates and to be bound in paper.

Provided, in each case, that the printing of the extra documents named above shall not exceed ten cents per page per one hundred copies.

Mr. Maynard moved that said report lay on the table, and be printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Skinner, from the committee on public printing, to which was referred the resolution relative to printing extra copies of the State Assessors' Report, reported the following resolution for the consideration of the House:

*Resolved* (if the Assembly concur), That 5,000 extra copies of the State Assessors be printed for distribution among the supervisors and assessors of the various towns, cities and villages of the State; said copies shall be distributed by the Secretary of State, so that each supervisor and assessor aforesaid shall receive one copy of said report.

*Resolved* (if the Assembly concur), That 2,000 extra copies be printed for the use of the Legislature and 1,000 extra copies for the use of the State Assessors.

Mr. Hogeboom moved that said report be laid on the table and printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Smith, from the committee on public education, to which was referred the bill introduced by Mr. T. A. Case, Int. No. 568, entitled "An act to extend the limits of union free school district number one of the town of Ellicott, Chautauqua county, and to authorize the board of education to employ a superintendent, and fix the time of holding their annual school meeting," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Smith, from the committee on public education, to which was referred the bill introduced by Mr. Williams, Int. No. 861, entitled "An

act to provide for the enlargement of the school-house site of joint school district No. 9, in the towns of Ellery and Gerry, in the county of Chautauqua," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Smith, from the committee on public education, to which was referred the bill introduced by Mr. Smith, Int. No. 387, entitled "An act to authorize the appointment of commissioners to compile or prepare a series of text or school books for use in the common schools of the State of New York and for their publication," reported the same for the consideration of the House.

Mr. Smith, from the committee on public education, to which was referred the Senate bill entitled "An act to empower the board of education of the educational district of Seneca Falls to appoint an assessor for such district," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Corbett, from the committee on trade and manufactures, to which was referred the bill introduced by Mr. G. M. Case, Int. No. 686, entitled "An act to amend chapter 149 of the Laws of 1874, entitled 'An act to amend the act passed April 27, 1872, entitled An act to amend chapter 657 of the Laws of 1871, entitled An act to amend the act passed February 17, 1848, entitled An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed April 20, 1871," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Corbett, from the committee on trade and manufactures, to which was referred the bill introduced by Mr. Hamilton, Int. No. 709, entitled "An act to protect persons purchasing sewing machines," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on railroads, to which was referred the bill introduced by Mr. Moller, Int. No. 711, entitled "An act to authorize railroad corporations to pay commutation money for highway labor to the commissioners of highways of towns," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Suydam, from the committee on agriculture, to which was referred the Senate bill entitled "An act to amend section 4, chapter 529, Laws of 1871, entitled 'An act to incorporate the Superintendents of the Fair Grounds of the town of Oswegatchie, passed April 15, 1871,' as amended by chapter 187, Laws of 1872," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. McGroarty, Int. No. 574, entitled "An act for the protection of Prospect park, in the county of Kings, and the entrances to the same," reported adversely thereto.

On motion of Mr. McGroarty, said report was laid on the table.

Mr. McKee, from the committee on banks, to which was referred the bill introduced by Mr. Childs, Int. No. 868, entitled "An act to repeal chapter 250 of the Laws of 1853, entitled 'An act relating to incorporated banks, banking associations and individual bankers located and doing business in the city of New York,'" reported in favor of the passage of

the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Smith, Int. No. 865, entitled "An act to authorize the trustees of the village of Skaneateles, in the county of Onondaga, and State of New York, to sell certain real estate, and to raise money by tax for building an engine-house and for other village purposes," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Clark, Int. No. 688, entitled "An act to provide for lighting the streets in the village of Perry, in the county of Wyoming, State of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr. J. G. Graham, Int. No. 757, entitled "An act to authorize the village of Middletown to issue bonds," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr. J. G. Graham, Int. No. 766, entitled "An act to provide for the payment of bonds heretofore issued by the village of Middletown, in the county of Orange," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. J. G. Graham, and by unanimous consent, the bill entitled "An act to legalize the acts of George H. Clark as notary public," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

} AYES 75 {  
} NOES 60 {

Those who voted in the affirmative, were

Alvord	Cozans	Humphrey	H. H. Rockwell
S. Baldwin	Crowley	Langbein	W. L. Rockwell
M. L. Baldwin	Dillmeier	Langner	Ruggles
Barnes	Fish	Longyear	Sager
Benedict	Flecke	Lyon	Santee
Berrigan	Floyd-Jones	McFalls	Shanley
Bradley	Gallagher	McGraw	Shannon
Brannan	Galvin	McGroarty	Skinner
Brill	Gere	McKee	Stephenson
J. H. Brown	Grady	Moore	Stone
J. S. Brown	J. G. Graham	Morey	Suydam
Bulmer	J. S. Graham	Nachtmann	Taylor
E. Case	Gulick	Neilson	Valentine
G. M. Case	Hayes	Noyes	Waddell
Clapp	Healy	O'Hare	Webb
Clark	Hepburn	Orr	Wemple

Corsa	Hodges	Peck	Williams
Coulter	Hogeboom	Piper	Winch
Cowdin	Holahan	Potter	

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Spicer, and by unanimous consent, the bill entitled "An act to legalize the acts of Rosselle W. Higgins as notary public of Jefferson county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cozans	Lyon	Sager
S. Baldwin	Dillmeier	Maynard	Santee
Barnes	Fay	McFalls	Shanley
Benedict	Filkin	McGraw	Shannon
Billings	Fish	McGroarty	Sheldon
Bowen	Flecke	McKee	Skinner
Bradley	Floyd-Jones	Moore	Sliter
Braman	Gallagher	Morey	Speaker
Brick	Galvin	Nachtmann	Spicer
J. H. Brown	Gere	Neilson	Stein
J. S. Brown	Gilbert	Noyes	Stone
Bulmer	J. G. Graham	O'Hare	Suydam
E. Case	J. S. Graham	Orr	Tabor
G. M. Case	Hayes	Peck	Taylor
Childs	Hepburn	Piper	Valentine
Clapp	Hodges	Post	Waddell
Clark	Holahan	Potter	Wemple
Corsa	Humphrey	H. H. Rockwell	Williams
Coulter	Langbein	W. L. Rockwell	Winch
Cowdin	Langner	Ruggles	

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the bill entitled "An act making appropriations for the support of government," with a message informing that they consented to a new committee of conference on said bill, and have appointed as such committee on their part Messrs. Harris, Carpenter and Gerard.

The Senate returned the bill entitled "An act to provide for the construction of fishways in the State dams across the Oswego, Oneida and Seneca rivers," with a message informing that they have passed the same, with the following amendments:

Section 1, lines 1 and 2, strike out the words "Superintendent of Public Works" and insert the words "Canal Commissioners." Same section, lines 13 and 14, strike out the words "Superintendent of Public Works" and insert the words "Canal Commissioners."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 88  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Corsa	Maynard	Sanders
Baker	Dillmeier	McFalls	Santee
M. L. Baldwin	Dimond	McGraw	Shanley
Barnes	Fay	McGroarty	Shannon
Benedict	Fish	McKee	Sheldon
Berrigan	Flecke	Moody	Skillman
Billings	Floyd-Jones	Moore	Skinner
Billington	Galvin	Morey	Sliter
Bissell	Grady	Nachtmann	Smith
Bowen	J. G. Graham	Neilson	Speaker
Bradley]	J. S. Graham	Niven	Spicer
Braman	Gulick	Noyes	Stone
Brill	Hammond	O'Hare	Suydam
J. H. Brown	Herrick	Orr	Tabor
J. S. Brown	Herbst	Peck	Taylor
Burns	Hodges	Piper	Thistlethwaite
E. Case	Hogeboom	Potter	Waddell
G. M. Case	Lang	Rice	Webb
T. A. Case	Langbein	H. H. Rockwell	Wemple
Clapp	Langner	W. L. Rockwell	Wickes
Clark	Longyear	Ruggles	Williams
Corbett	Lyon	Sager	Winch

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned the bill entitled "An act to confirm the official acts of Dougald E. Cameron, heretofore elected a justice of the peace for the town of Caledonia, in the county of Livingston," with a message informing that they had passed the same, with the following amendments:

Section 1, line 2, strike out the words "heretofore elected" and insert the word "as." Same section, strike out all of line 4 and insert the words "since the 31st day of December, 1874." Same section, line 5, strike out the words "of said town" and the word "declared," and after the word "hereby" insert the words "made as legal and." Same line, strike out all after the word "valid," down to and including the word "he," in line 6, and insert the words "as they would have been." Line 6, after the word "had" insert the word "he." Strike out the remainder of line 6 and the words "terms of office" in line 7. Line 8, strike out the words "according to" and insert the words "within the time required by." Same line, strike out the words "provided however that" and insert the word "but." Add at the end of section the words "or proceedings."

Amend the title so as to read "An act to legalize the official acts of Dougald E. Cameron as a justice of the peace in and for the town of Caledonia, in the county of Livingston."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cowdin	Humphrey	W. L. Rockwell
S. Baldwin	Cozans	Keator	Ruggles
M. L. Baldwin	Crowley	Langbein	Sanders
Barnes	Dillmeier	Langner	Santee
Benedict	Dimond	Longyear	Shanley
Billings	Filkin	Maynard	Shannon
Billington	Fish	McFalls	Sheldon
Bissell	Flecke	McGroarty	Skillman
Bradley	Floyd-Jones	McKee	Skinner
Braman	Gallagher	Moore	Spicer
Brick	Galvin	Morey	Suydam
J. H. Brown	Gere	Nachtmann	Taylor
J. S. Brown	Grady	Neilson	Thistlethwaite
Burns	J. G. Graham	Noyes	Valentine
E. Case	Gulick	O'Hare	Waddell
G. M. Case	Hamilton	Orr	Wemple
T. A. Case	Hayes	Piper	Wickes
Clark	Hepburn	Potter	Williams
Corbett	Herrick	H. H. Rockwell	Winch
Corsa	Herbst		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Skinner offered for the consideration of the House a resolution, in the words following:

*Resolved* (if the Senate concur), That a joint convention of the Senate and Assembly be held on Tuesday, the third day of April instant, at 12 o'clock noon, in the Assembly Chamber, for the purpose of electing a State Superintendent of Public Instruction.

Said resolution being concurrent,

*Ordered*, That the same be laid on the table.

Pursuant to 9th joint rule, Mr. Speaker announced the order of business, "third reading of bills."

The Senate bill entitled "An act to provide for the collection of unpaid taxes in the city of Syracuse," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Clark	Hogeboom	Ruggles
S. Baldwin	Corbett	Lang	Sanders
M. L. Baldwin	Cowdin	Langbein	Santee
Barnes	Cozans	Langner	Shanley
Benedict	Crowley	Longyear	Shannon
Berrigan	Dillmeier	Lyon	Sheldon
Billings	Dimond	Maynard	Skillman

Billington	Filkin	McFalls	Skinner
Bowen	Fish	McGraw	Sliter
Bradley	Flecke	McKee	Smith
Braman	Floyd-Jones	Moore	Stone
Brick	Gallagher	Morey	Suydam
Brill	Galvin	Nachtmann	Taylor
J. H. Brown	Grady	Neilson	Thistlethwaite
J. S. Brown	J. G. Graham	Niven	Tighe
Bulmer	J. S. Graham	Noyes	Valentine
Burns	Hammond	Orr	Waddell
E. Case	Hayes	Peck	Webb
G. M. Case	Hepburn	Potter	Wickes
Childs	Herbst	H. H. Rockwell	Winch
Clapp	Hodges	W. L. Rockwell	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The bill entitled "An act additional to chapter 370 of the Laws of 1872, entitled 'An act to amend an act relating to the rates of wharfage on canal boats, and to regulate piers, wharves, bulk-heads and slips in the cities of New York and Brooklyn,' passed May 6, 1870," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 70 }  
 } NOES 00 }

Those who voted in the affirmative, were

Alvord	Clapp	Langner	Ruggles
S. Baldwin	Clark	Longyear	Sager
M. L. Baldwin	Corbett	Maynard	Sanders
Barnes	Cowdin	McFalls	Santee
Benedict	Crowley	McGraw	Shanley
Berrigan	Dillmeier	McGroarty	Shannon
Billings	Dimond	McKee	Sheldon
Bissell	Floyd-Jones	Moody	Skinner
Bowen	Gallagher	Morey	Sliter
Braman	Galvin	Nachtmann	Smith
Brick	J. S. Graham	Neilson	Spicer
Brill	Gulick	Niven	Stone
J. H. Brown	Hamilton	Noyes	Suydam
J. S. Brown	Herrick	Orr	Tabor
Bulmer	Herbst	Potter	Taylor
Burns	Hodges	H. H. Rockwell	Thistlethwaite
G. M. Case	Humphrey	W. L. Rockwell	Winch
T. A. Case	Langbein		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. G. M. Case, and by unanimous consent, the sub-committee of the whole was discharged from the further consideration of the bill entitled "An act legalizing and confirming a certain deed of real estate executed by M. Lindley Lee to Elizabeth Crumley, and also a cer-



tain deed executed by said Elizabeth Crumley to Jennie E. Crumley,' and said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Coulter	Langbein	W. L. Rockwell
S. Baldwin	Cowdin	Langner	Sager
M. L. Baldwin	Crowley	Longyear	Sanders
Barnes	Dillmeier	Marvin	Santee
Benedict	Dimond	Maynard	Shanley
Berrigan	Floyd-Jones	McFalls	Shannon
Billings	Gallagher	McGraw	Sheldon
Billington	Galvin	McGroarty	Skillman
Bissell	Gere	McKee	Skinner
Braman	Grady	Moore	Sliter
Brick	J. G. Graham	Morey	Smith
Brill	J. S. Graham	Nachtmann	Spicer
J. H. Brown	Gulick	Neilson	Stephenson
J. S. Brown	Hamilton	Niven	Stone
Bulmer	Hayes	Noyes	Suydam
Burns	Herrick	Orr	Tabor
E. Case	Herbst	Peck	Taylor
G. M. Case	Hodges	Post	Tighe
T. A. Case	Holahan	Potter	Valentine
Clapp	Humphrey	Proper	Webb
Clark	King	Rice	Welsh
Corbett	Lang	H. H. Rockwell	Williams
Corsa			

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the common council of the city of Buffalo to make an appropriation for the deficiency in the poor fund of 1876 of said city," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crowley	Longyear	Santee
S. Baldwin	Dillmeier	Lyon	Shanley
M. L. Baldwin	Dimond	Maynard	Shannon
Barnes	Fish	McFalls	Skillman
Benedict	Floyd-Jones	McGroarty	Skinner
Berrigan	Gallagher	McKee	Sliter
Billings	Galvin	Moore	Smith

Billington	Gere	Morey	Speaker
Braman	J. G. Graham	Nachtmann	Stone
Brick	J. S. Graham	Neilson	Suydam
Brill	Gulick	Niven	Tabor
J. H. Brown	Hamilton	Noyes	Taylor
J. S. Brown	Hammond	Orr	Thistlethwaite
Bulmer	Herbst	Peck	Tighe
Burns	Hodges	Proper	Valentine
E. Case	Hogeboom	H. H. Rockwell	Waddell
G. M. Case	King	W. L. Rockwell	Webb
T. A. Case	Lang	Rooney	Welsh
Clapp	Langbein	Sager	Wemple
Clark	Langner	Sanders	Wickes
Corbett			

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 766 of the Laws of 1868, entitled 'An act to empower Ulster Lodge No. 59 of the Independent Order of Odd Fellows of the State of New York, in the village of Saugerties and county of Ulster, to hold and convey real and personal estate, and constitute the same a corporation," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cozans	Langbein	Ruggles
S. Baldwin	Crowley	Langner	Sager
M. L. Baldwin	Dillmeier	Longyear	Sanders
Barnes	Dimond	Maynard	Santee
Benedict	Fish	McFalls	Shanley
Berrigan	Floyd-Jones	McGraw	Shannon
Billings	Gallagher	McGroarty	Sheldon
Billington	Galvin	McKee	Skillman
Bowen	Gere	Moore	Skinner
Bradley	Grady	Morey	Smith
Braman	J. G. Graham	Nachtmann	Spicer
Brill	J. S. Graham	Neilson	Stone
J. H. Brown	Gulick	Niven	Suydam
J. S. Brown	Hamilton	Orr	Tabor
Bulmer	Hammond	Peck	Taylor
Burns	Herrick	Piper	Thistlethwaite
E. Case	Herbst	Potter	Valentine
G. M. Case	Hodges	Proper	Waddell
T. A. Case	Hogeboom	H. H. Rockwell	Webb
Clapp	Holahan	W. L. Rockwell	Welsh
Clark	King	Rooney	Wickes
Coulter	Lang		

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate St. Raymond's Cemetery, of Westchester, in the State of New York," being announced for a third reading,

On motion of Mr. Hogeboom, and by unanimous consent, said bill was amended by striking out all of section 6 and inserting in lieu thereof the following :

§ 6. The said grounds and real estate occupied by said cemetery shall not be exempt from taxation, but remain subject to all public, general or local taxes, rates or assessments, and for that purpose chargeable against said corporation as undivided real property ; but the several lots or plots of ground assigned to individuals by said corporation, when the same shall become occupied for burial purposes, shall not be liable to be sold on execution for debt, or any manner be subject to the payment of debts from any proprietor, his heirs or devisees so occupying the same, as long as the said cemetery shall remain dedicated for the purpose aforesaid ; and during such time no street, road or avenue shall be laid through said cemetery, without the consent of said corporation first had and obtained, except by permission of the Legislature.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 85 }  
{ NOES 5 }

Those who voted in the affirmative, were

Alvord	Cozans	Langbein	Sager
Baker	Crowley	Longyear	Sanders
S. Baldwin	Dillmeier	Marvin	Shanley
M. L. Baldwin	Dimond	Maynard	Shannon
Benedict	Filkin	McFalls	Sheldon
Berrigan	Flecke	McGraw	Skillman
Billings	Floyd-Jones	McGroarty	Skinner
Billington	Gallagher	McKee	Sliter
Bradley	Galvin	Moller	Smith
Braman	Gere	Nachtmann	Speaker
Brill	Grady	Neilson	Spicer
J. H. Brown	J. G. Graham	Niven	Spinola
J. S. Brown	Gulick	Noyes	Stein
Bulmer	Hamilton	O'Hare	Stone
Burns	Hammond	Peck	Suydam
E. Case	Healy	Piper	Tabor
G. M. Case	Hodges	Potter	Taylor
Clapp	Hogeboom	H. H. Rockwell	Valentine
Clark	Keator	W. L. Rockwell	Webb
Corbett	King	Rooney	Wickes
Coulter	Lang	Ruggles	Winch
Cowdin			

Those who voted in the negative, were

T. A. Case	Gilbert	J. S. Graham	Moore
Santee			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act authorizing the trustees of the village of Ballston Spa to issue bonds, to be known as extended water bonds, to pay a portion of the water bonds now outstanding of said village, maturing in the year 1877 and thereafter," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Corbett	Langbein	Ruggles
Baker	Corsa	Langner	Sager
S. Baldwin	Coulter	Longyear	Sanders
M. L. Baldwin	Cozans	Marvin	Santee
Barnes	Dillmeier	Maynard	Shanley
Benedict	Filkin	McFalls	Shannon
Billings	Floyd-Jones	McGraw	Skillman
Billington	Galvin	McGroarty	Skinner
Bowen	Grady	McKee	Sliter
Bradley	J. S. Graham	Moller	Spicer
Braman	Gulick	Moore	Stephenson
Brick	Hamilton	Morey	Stone
Brill	Hammond	Nachtmann	Suydam
J. H. Brown	Hayes	Neilson	Tabor
J. S. Brown	Herrick	Niven	Taylor
Bulmer	Herbst	Noyes	Thistlethwaite
Burns	Hodges	Peck	Valentine
E. Case	Hogeboom	Piper	Waddell
G. M. Case	Holahan	Potter	Welsh
T. A. Case	Humphrey	H. H. Rockwell	Wemple
Clapp	King	W. L. Rockwell	Winch
Clark	Lang		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to legalize and confirm the proceedings of the board of trustees of the village of Andes, in the county of Delaware, in relation to the purchase of hydrants for the use of said village and the creation of a debt for that purpose and to provide for the payment thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Corbett	Lang	W. L. Rockwell
Baker	Corsa	Langbein	Sager

S. Baldwin	Coulter	Langner	Sanders
M. L. Baldwin	Crowley	Longyear	Santee
Barnes	Fay	Maynard	Shanley
Benedict	Fish	McFalls	Shannon
Billings	Floyd-Jones	McGraw	Sheldon
Billington	Gallagher	McGroarty	Skillman
Bowen	Galvin	McKee	Skinner
Bradley	Gere	Moore	Spicer
Braman	Gilbert	Morey	Stephenson
Brick	J. G. Graham	Nachtmann	Stone
Brill	J. S. Graham	Neilson	Strahan
J. H. Brown	Gulick	Niven	Suydam
J. S. Brown	Hammond	Noyes	Tabor
Bulmer	Herrick	Orr	Taylor
Burns	Herbst	Peck	Thistlethwaite
E. Case	Hodges	Piper	Waddell
G. M. Case	Hogeboom	Potter	Webb
T. A. Case	Keator	Rice	Welsh
Clapp	King	H. H. Rockwell	Wemple
Clark			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 335 of the Laws of 1871, entitled 'An act to authorize the appointment of a person to be public administrator in the county of Kings, and to determine the powers and duties of such officer,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	T. A. Case	Herbst	Piper
Baker	Clapp	Hodges	Potter
S. Baldwin	Clark	Keator	Rice
M. L. Baldwin	Corbett	King	H. H. Rockwell
Barnes	Corsa	Langbein	W. L. Rockwell
Benedict	Coulter	Langner	Ruggles
Berrigan	Cowdin	Longyear	Sager
Billings	Cozens	Maynard	Sanders
Billington	Filkin	McFalls	Santee
Bissell	Fish	McGraw	Shanley
Bowen	Floyd-Jones	McGroarty	Sheldon
Bradley	Gallagher	McKee	Skillman
Braman	Galvin	Moller	Skinner
Brick	Gilbert	Moore	Spicer
Brill	J. G. Graham	Nachtmann	Suydam
J. H. Brown	J. S. Graham	Neilson	Tabor
J. S. Brown	Gulick	Niven	Taylor
Bulmer	Hammond	Noyes	Webb

Burns  
E. Case  
G. M. Case

Hepburn  
Herrick

Orr  
Peck

Wemple  
Wickes

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to amend chapter 361 of the Laws of 1852, entitled 'An act to facilitate the dissolution of manufacturing corporations in the county of Herkimer, and to secure the payment of their debts without preference,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Clark	Langner	Sager
Baker	Corbett	Longyear	Sanders
S. Baldwin	Coulter	Lyon	Santee
M. L. Baldwin	Cowdin	Maynard	Shanley
Barnes	Cozans	McFalls	Shannon
Benedict	Filkin	McGroarty	Sheldon
Billings	Floyd-Jones	McKee	Skillman
Billington	Gallagher	Moore	Skinner
Bowen	Galvin	Morey	Spicer
Bradley	Gilbert	Nachtmann	Stone
Braman	Grady	Neilson	Strahan
Brick	J. S. Graham	Niven	Suydam
J. H. Brown	Gulick	Noyes	Tabor
J. S. Brown	Hamilton	Orr	Taylor
Bulmer	Hammond	Peck	Valentine
Burns	Herbat	Piper	Webb
E. Case	Hodges	Potter	Welsh
G. M. Case	Keator	Rice	Wemple
T. A. Case	King	W. L. Rockwell	Winch
Clapp	Langbein	Ruggles	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The bill entitled "An act regulating the practice in the surrogate's court of the county of New York respecting testimony taken in contested matters, and as to the issue of letters of guardianship to testamentary guardians," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cozans	King	Ruggles
Baker	Crowley	Langbein	Sager
S. Baldwin	Dillmeier	Langner	Sanders

M. L. Baldwin	Dimond	Maynard	Shanley
Barnes	Fay	McFalls	Shannon
Benedict	Filkin	McGraw	Sheldon
Billings	Fish	McGroarty	Skinner
Billington	Flecke	McKee	Smith
Bissell	Floyd-Jones	Moore	Spicer
Bowen	Gallagher	Morey	Stephenson
Bradley	Galvin	Nachtmann	Stone
Braman	Gilbert	Neilson	Strahan
Brick	J. G. Graham	Niven	Suydam
Brill	J. S. Graham	Noyes	Taylor
J. H. Brown	Gulick	O'Hare	Tighe
Bulmer	Hammond	Peck	Valentine
G. M. Case	Herbst	Piper	Webb
T. A. Case	Hodges	Potter	Welsh
Clapp	Hogeboom	Rice	Wemple
Clark	Humphrey	H. H. Rockwell	Wickes
Corbett	Keator	W. L. Rockwell	Williams
Coulter	Longyear	Santee	Winch
Cowdin			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate the Horseheads Fire Department," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Coulter	Langbein	Sanders
Baker	Cowdin	Langner	Santee
S. Baldwin	Cozans	Longyear	Shanley
M. L. Baldwin	Crowley	Maynard	Shannon
Barnes	Dillmeier	McFalls	Sheldon
Benedict	Fay	McGraw	Skillman
Berrigan	Floyd-Jones	McGroarty	Skinner
Billings	Gallagher	McKee	Sliter
Billington	Galvin	Moore	Spicer
Bowen	Grady	Morey	Stephenson
Bradley	J. S. Graham	Nachtmann	Stone
Braman	Gulick	Niven	Strahan
Brill	Hammond	Noyes	Suydam
J. H. Brown	Hayes	Peck	Tabor
Bulmer	Herbst	Piper	Taylor
Burns	Hodges	Potter	Tighe
G. M. Case	Holahan	Rice	Valentine
T. A. Case	Humphrey	H. H. Rockwell	Waddell
Clapp	Keator	W. L. Rockwell	Welsh
Clark	King	Ruggles	Wemple
Corbett	Lang	Sager	Winch
Corsa			

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize a recovery at law for certain printing done for and stationery furnished to the boards of aldermen and assistant aldermen in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dillmeier	Maynard	Shannon
Baker	Fay	McFalls	Sheldon
S. Baldwin	Fish	McGraw	Skillman
M. L. Baldwin	Flecke	McKee	Skinner
Barnes	Floyd-Jones	Moore	Smith
Benedict	Gallagher	Morey	Spicer
Berrigan	Galvin	Nachtmann	Spinola
Billings	Gilbert	Niven	Stein
Bowen	J. S. Graham	Noyes	Stephenson
Bradley	Gulick	O'Hare	Stone
Braman	Hammond	Peck	Strahan
Brick	Hayes	Piper	Suydam
J. H. Brown	Hepburn	Potter	Taylor
J. S. Brown	Herrick	Purdy	Thistlethwaite
Bulmer	Herbst	Rice	Tighe
T. A. Case	Hodges	H. H. Rockwell	Valentine
Clapp	Hogeboom	W. L. Rockwell	Waddell
Clark	Humphrey	Ruggles	Webb
Corbett	King	Sager	Wemple
Coulter	Langbein	Sanders	Wickes
Cowdin	Longyear	Santee	Williams
Cozans	Marvin	Shanley	Winch
Crowley			

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for making, to the New York Infirmary for Women and Children, allowances and payments for the care and maintenance of lying-in and nursing women," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dillmeier	Langner	Santee
Baker	Fay	Lyon	Shanley
S. Baldwin	Filkin	Marvin	Shannon



M. L. Baldwin	Fish	McFalls	Sheldon
Barnes	Flecke	McGraw	Skillman
Benedict	Floyd-Jones	McGroarty	Skinner
Berrigan	Gallagher	McKee	Smith
Billings	Galvin	Moller	Spicer
Bowen	Gilbert	Moore	Stone
Bradley	J. S. Graham	Morey	Strahan
Braman	Gulick	Nachtmann	Suydam
J. S. Brown	Hamilton	Neilson	Tabor
Bulmer	Hammond	Niven	Taylor
E. Case	Hayes	Noyes	Thistlethwaite
G. M. Case	Hepburn	Orr	Tighe
T. A. Case	Herrick	Peck	Valentine
Childs	Herbst	Piper	Waddell
Clapp	Hodges	Potter	Webb
Corbett	Hogeboom	H. H. Rockwell	Welsh
Coulter	Humphrey	W. L. Rockwell	Wemple
Cowdin	Keator	Ruggles	Wickes
Cozans	King	Sager	Williams
Crowley	Langbein		

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to proceedings in surrogates' courts," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Corbett	King	Ruggles
Baker	Corsa	Langner	Sager
S. Baldwin	Coulter	Longyear	Sanders
M. L. Baldwin	Cowdin	Marvin	Santee
Barnes	Cozans	Maynard	Shanley
Benedict	Crowley	McFalls	Shannon
Berrigan	Dillmeier	McGraw	Skillman
Billings	Fay	McGroarty	Skinner
Billington	Fish	McKee	Smith
Bissell	Flecke	Moller	Spicer
Bowen	Floyd-Jones	Moore	Stein
Bradley	Gallagher	Morey	Stone
Braman	Gilbert	Nachtmann	Suydam
J. S. Brown	J. S. Graham	Neilson	Taylor
Burns	Gulick	Niven	Thistlethwaite
E. Case	Hammond	Orr	Tighe
G. M. Case	Herrick	Peck	Valentine
T. A. Case	Herbst	Piper	Webb
Childs	Hodges	Potter	Wickes
Clapp	Humphrey	H. H. Rockwell	Williams
Clark	Keator	W. L. Rockwell	Winch

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act further to amend chapter 692 of the Laws of 1866, entitled 'An act fixing the fees of justices of the peace and constables in civil and criminal cases, and the fees of jurors and witnesses in justices' courts and for other purposes,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 13 }

Those who voted in the affirmative, were

Alvord	Crowley	Humphrey	Sager
Baker	Dillmeier	Husted	Sanders
S. Baldwin	Fay	Keator	Santee
M. L. Baldwin	Filkin	King	Shanley
Barnes	Fish	Langner	Shannon
Benedict	Flecke	Longyear	Sheldon
Berrigan	Floyd-Jones	McFalls	Skinner
Billington	Gallagher	McGroarty	Smith
Bissell	Galvin	McKee	Speaker
Bowen	Gilbert	Morey	Spicer
Bradley	Grady	Neilson	Spinola
Braman	J. G. Graham	Niven	Stephenson
Brill	J. S. Graham	Noyes	Stone
Burns	Gulick	Orr	Thistlethwaite
E. Case	Hamilton	Peck	Valentine
Clapp	Hayes	Piper	Webb
Clark	Healy	Purdy	Weiant
Corbett	Hepburn	H. H. Rockwell	Wickes
Coulter	Herrick	Rooney	Williams
Cowdin	Hodges	Ruggles	

Those who voted in the negative, were

J. S. Brown	McGraw	Potter	Tabor
Hammond	Moller	W. L. Rockwell	Taylor
Hogeboom	Moore	Suydam	Tighe
Maynard			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The Senate returned the bill entitled "An act to provide means for the ordinary repairs of the canals, preparatory to opening them for the present year," with a message informing that they have passed the same, with the following amendments:

Section 1, line 5, after the word "dollars," insert the words "or so much thereof as shall be necessary." Same section, strike out all after the word "purpose" in line 9, down to and including the word "and" in line 13. Same section, line 13, strike out the letters "ut" and insert capital "N."

The amendments having been read,

Mr. Speaker then put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the

members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Fay	Lyon	Shanley
Baker	Filkin	Marvin	Shannon
S. Baldwin	Fish	Maynard	Sheldon
Barnes	Flecke	McFalls	Skinner
Benedict	Floyd-Jones	McGroarty	Sliter
Berrigan	Gallagher	McKee	Smith
Bowen	Galvin	Morey	Speaker
Bradley	Grady	Nachtmann	Spicer
Braman	J. G. Graham	Neilson	Stein
Brill	Gulick	Noyes	Stephenson
J. H. Brown	Hepburn	O'Hare	Suydam
J. S. Brown	Herrick	Orr	Tabor
Bulmer	Hodges	Peck	Taylor
E. Case	Hogeboom	Piper	Thistlethwaite
G. M. Case	Humphrey	Rice	Tighe
T. A. Case	Keator	H. H. Rockwell	Valentine
Clapp	King	W. L. Rockwell	Waddell
Clark	Lang	Ruggles	Webb
Corsa	Langbein	Sager	Wemple
Coulter	Langner	Sanders	Wickes
Dillmeier	Longyear	Santee	Williams

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The bill entitled "An act to legalize the acts of Charles C. Wakeley as notary public," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crowley	Maynard	Santee
Baker	Dillmeier	McFalls	Shanley
S. Baldwin	Fay	McGraw	Shannon
M. L. Baldwin	Filkin	McGroarty	Skillman
Barnes	Fish	McKee	Skinner
Benedict	Flecke	Moller	Sliter
Berrigan	Floyd-Jones	Moore	Smith
Billington	Galvin	Morey	Spicer
Bissell	Gulick	Niven	Spinola
Bowen	Hammond	Noyes	Stephenson
Bradley	Healy	O'Hare	Stone
Braman	Herrick	Orr	Suydam
J. S. Brown	Herbst	Peck	Taylor
Bulmer	Hodges	Piper	Thistlethwaite

E. Case	Humphrey	H. H. Rockwell	Valentine
T. A. Case	Keator	W. L. Rockwell	Wemple
Childs	King	Rooney	Wickes
Clapp	Langner	Ruggles	Williams
Clark	Longyear	Sager	Winch
Corbett	Marvin	Sanders	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to amend chapter 559 of the Laws of 1864, entitled 'An act to amend the act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847,' so far as relates to the village of Corning, in the county of Steuben," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 83 }  
} NOES 00 }

Those who voted in the affirmative, were

Alvord	Cowdin	Langner	Rooney
Baker	Dillmeier	Longyear	Ruggles
S. Baldwin	Fay	Maynard	Sager
M. L. Baldwin	Filkin	McFalls	Santee
Barnes	Fish	McGraw	Shanley
Benedict	Flecke	McGroarty	Shannon
Billings	Floyd-Jones	McKee	Sheldon
Bissell	Galvin	Moller	Skinner
Bowen	J. G. Graham	Moore	Sliter
Bradley	J. S. Graham	Morey	Smith
Braman	Gulick	Neilson	Spicer
Brick	Hamilton	Niven	Stephenson
Brill	Hammond	Noyes	Stone
J. S. Brown	Healy	O'Hare	Suydam
Burns	Herrick	Orr	Taylor
E. Case	Herbst	Peck	Thistlethwaite
T. A. Case	Hodges	Piper	Tighe
Clapp	Hogeboom	Proper	Webb
Clark	Humphrey	Purdy	Wemple
Corbett	Keator	H. H. Rockwell	Williams
Coulter	King	W. L. Rockwell	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The bill entitled "An act to create a board of assessors in and for the city of Utica," being announced for a third reading,

On motion of Mr. Corbett, and by unanimous consent, said bill was amended by striking out, in section 10, all after the word "effect" and inserting in lieu thereof the word "immediately."

Said bill, as amended, was then read a third time.

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

Brill	Hepburn	Orr	Tighe
Bulmer	Herbst	Peck	Valentine
E. Case	Hodges	Piper	Waddell
T. A. Case	Humphrey	Potter	Webb
Childs	Keator	H. H. Rockwell	Wemple
Clapp	King	W. L. Rockwell	Wickes
Clark	Longyear	Rooney	Williams
Corbett	Maynard	Ruggles	Winch
Corsa			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to legalize and confirm the official acts of Oliver G. Steele, Howard H. Baker and Edward L. Stevenson as real estate commissioners of the Young Men's Association of the city of Buffalo," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 91 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Corbett	Keator	H. H. Rockwell
S. Baldwin	Coulter	King	W. L. Rockwell
M. L. Baldwin	Cowdin	Langbein	Rooney
Barnes	Cozans	Langner	Ruggles
Benedict	Crowley	Longyear	Sager
Berrigan	Dillmeier	Maynard	Sanders
Billings	Dimond	McFalls	Santee
Billington	Fish	McGraw	Shanley
Bissell	Flecke	McGroarty	Shannon
Bowen	Floyd-Jones	McKee	Skillman
Bradley	Gallagher	Moller	Skinner
Braman	Galvin	Moody	Spicer
Briok	Gere	Moore	Suydam
Brill	Grady	Morey	Taylor
J. H. Brown	J. G. Graham	Neilson	Thistlethwaite
Bulmer	J. S. Graham	Niven	Valentine
Burns	Gulick	Noyes	Waddell
E. Case	Hammond	O'Hare	Weiant
G. M. Case	Hayes	Peck	Wemple
T. A. Case	Hepburn	Piper	Wickes
Childs	Herrick	Potter	Williams
Clapp	Hodges	Proper	Winch
Clark	Humphrey	Purdy	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Indefinite leave of absence was granted to Mr. Mitchell.

Mr. Husted moved that the House take a recess until 7½ o'clock p. m.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon, at 1 o'clock and 50 minutes, the House took a recess until 7½ o'clock.

# HALF-PAST SEVEN O'CLOCK P. M.

The House again met.

On motion of Mr. Alvord, the privileges of the floor were granted to the Hon. Geo. West.

Mr. Speaker directed the Clerk to call the roll and ascertain if a quorum was present, when the following members answered to their names :

Alvord	Gallagher	McKee	Shannon
Baker	Gere	Moller	Sliter
M. L. Baldwin	Gulick	Moore	Speaker
Billington	Hamilton	Morey	Spicer
Bissell	Herrick	Nachtmann	Stein
Braman	Herbst	Neilson	Stephenson
J. S. Brown	Hogeboom	O'Hare	Stone
Clapp	Holahan	Orr	Suydam
Clark	Husted	Piper	Tabor
Corsa	Keator	Post	Taylor
Coulter	King	Potter	Thistlethwaite
Cozans	Langbein	Proper	Tighe
Davenport	Longyear	Purdy	Valentine
Dillmeier	Lyon	Rice	Webb
Dimond	Maynard	W. L. Rookwell	Weiant
Fay	McFalls	Ruggles	Wickes
Fish	McGraw	Shanley	Winch
Floyd-Jones	McGroarty		

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A quorum of members being present,

Pursuant to 9th joint rule, Mr. Speaker announced the order of business, "third reading of bills."

The bill entitled "An act to amend chapter 224, Laws of 1872, entitled 'An act to amend an act entitled An act to consolidate and amend the several acts relating to the village of Watkins, and to enlarge the powers of the corporation of said village, passed April 3, 1861,' passed April 12, 1872," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Hamilton	Moore	Shannon
Baker	Healy	Morey	Skillman
M. L. Baldwin	Hepburn	Nachtmann	Skinner
Billington	Herrick	Neilson	Smith
Bissell	Herbst	Noyes	Speaker
Braman	Hodges	O'Hare	Spicer
J. S. Brown	Hogeboom	Orr	Stein
Clapp	Holahan	Piper	Stephenson
Clark	Husted	Post	Stone

Corsa	Keator	Potter	Strahan
Coulter	King	Proper	Suydam
Cozans	Langbein	Purdy	Tabor
Davenport	Langner	Rice	Taylor
Dillmeier	Longyear	H. H. Rockwell	Thistlethwaite
Dimond	Lyon	W. L. Rockwell	Valentine
Fish	Maynard	Ruggles	Webb
Floyd-Jones	McFalls	Sanders	Weiant
Gallagher	McGraw	Santee	Wicks
Gere	McGroarty	Shanley	Winch
Gulick	McKee		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 156 of the Laws of 1952, entitled 'An act to amend an act entitled An act to provide for the establishment of free schools in the village of Newburgh, passed April 6, 1852,' passed March 7, 1865," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Floyd-Jones	McFalls	Shanley
Baker	Gallagher	McGraw	Shannon
M. L. Baldwin	Gere	McGroarty	Sheldon
Billings	Grady	McKee	Skillman
Billington	Gulick	Moore	Skinner
Bissell	Hamilton	Morey	Smith
Braman	Healy	Nachtmann	Speaker
J. S. Brown	Herrick	Neilson	Spicer
E. Case	Herbst	Noyes	Stein
Clapp	Hodges	O'Hare	Stone
Clark	Hogeboom	Orr	Strahan
Corbett	Holahan	Peck	Suydam
Coulter	Husted	Piper	Tabor
Cozans	Keator	Potter	Taylor
Davenport	King	Proper	Valentine
Dillmeier	Langbein	Rice	Waddell
Dimond	Langner	H. H. Rockwell	Webb
Fay	Longyear	W. L. Rockwell	Weiant
Fish	Lyon	Sanders	Winch
Flecke	Maynard	Santee	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein

The Senate bill entitled "An act to provide for the better administration of justice in the town of Watervliet, in the county of Albany," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dimond	Longyear	W. L. Rockwell
Baker	Fay	Lyon	Ruggles
S. Baldwin	Fish	Maynard	Sanders
M. L. Baldwin	Flecke	McFalls	Shanley
Billings	Floyd-Jones	McGraw	Shannon
Billington	Gallagher	McGroarty	Skillman
Bissell	Gere	McKee	Skinner
Braman	Gulick	Moller	Smith
J. S. Brown	Hamilton	Moore	Speaker
Bulmer	Hammond	Morey	Spicer
E. Case	Hayes	Nachtmann	Stein
T. A. Case	Healy	Neilson	Stone
Childs	Herrick	Noyes	Tabor
Clapp	Herbst	O'Hare	Taylor
Clark	Hodges	Orr	Thistlethwaite
Corbett	Hogeboom	Peck	Valentine
Corsa	Husted	Piper	Waddell
Coulter	Keator	Potter	Webb
Cozans	King	Proper	Weiant
Davenport	Langbein	H. H. Rockwell	Winch
Dillmeier	Langner		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The Senate bill entitled "An act authorizing the board of trustees of the village of West Troy, to contract for a supply of water for public purposes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Fish	McFalls	Shannon
Baker	Flecke	McGraw	Sheldon
S. Baldwin	Floyd-Jones	McGroarty	Skillman
M. L. Baldwin	Gallagher	McKee	Skinner
Barnes	Gere	Moller	Smith
Benedict	Gulick	Moore	Speaker
Billings	Hamilton	Morey	Spicer
Billington	Hammond	Neilson	Stein
Braman	Healy	Noyes	Stone
J. S. Brown	Herrick	O'Hare	Strahan
E. Case	Herbst	Orr	Tabor
Childs	Hodges	Peck	Taylor
Clapp	Hogeboom	Piper	Thistlethwaite



Clark	Holahan	Post	Tighe
Corbett	Husted	Potter	Valentine
Coulter	Keator	Proper	Waddell
Crowley	King	H. H. Rockwell	Webb
Davenport	Langner	W. L. Rockwell	Weiant
Dillmeier	Longyear	Ruggles	Wickes
Dimond	Lyon	Shanley	Winch
Fay	Maynard		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The bill entitled "An act to amend chapter 101 of the Laws of 1862, entitled 'An act in relation to the support and custody of indigent insane persons of the county of Genesee,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NAYS 00 }

Those who voted in the affirmative, were

Alvord	Davenport	Langbein	Rice
Baker	Dillmeier	Langner	H. H. Rockwell
S. Baldwin	Dimond	Longyear	W. L. Rockwell
M. L. Baldwin	Fay	Maher	Ruggles
Barnes	Filkin	Marvin	Sanders
Billings	Fish	Maynard	Shanley
Billington	Flecke	McFalls	Shannon
Bissell	Floyd-Jones	McGraw	Sheldon
Bowen	Gallagher	McKee	Skillman
Bradley	Gere	Moody	Skinner
Braman	Gulick	Moore	Smith
J. S. Brown	Hamilton	Morey	Speaker
Bulmer	Hammond	Nachtmann	Stein
E. Case	Hayes	Neilson	Stone
Clapp	Herrick	Niven	Suydam
Clark	Herbst	O'Hare	Tabor
Corbett	Hodges	Orr	Thistlethwaite
Corsa	Hogeboom	Peck	Valentine
Coulter	Husted	Piper	Waddell
Cowdin	Keator	Potter	Weiant
Crowley	King	Proper	Winch

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to countersigning warrants for payments from the treasury of the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Dimond	Longyear	Ruggles
Baker	Fay	Lyon	Sanders
S. Baldwin	Filkin	Maher	Shanley
M. L. Baldwin	Fish	Maynard	Shannon
Barnes	Flecke	McFalls	Skillman
Benedict	Floyd-Jones	McGroarty	Skinner
Billings	Gallagher	Moore	Speaker
Bowen	Grady	Morey	Stein
Bradley	J. G. Graham	Nachtmann	Stephenson
Brick	J. S. Graham	Neilson	Stone
J. S. Brown	Gulick	Niven	Taylor
E. Case	Hammond	O'Hare	Thistlethwaite
Clapp	Hayes	Orr	Tighe
Clark	Hodges	Peck	Valentine
Corbett	Holahan	Piper	Webb
Coulter	Keator	Potter	Weiant
Cowdin	King	Proper	Wemple
Crowley	Langbein	H. H. Rockwell	Wickes
Davenport	Langner	W. L. Rockwell	Winch
Dillmeier			

For the negative,

Rooney

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate the Fire Department of the village of Plattsburgh," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Dimond	Longyear	H. H. Rockwell
Baker	Fay	Lyon	Sanders
S. Baldwin	Fish	Maher	Shanley
M. L. Baldwin	Flecke	Maynard	Shannon
Barnes	Floyd-Jones	McFalls	Skillman
Berrigan	Gallagher	McKee	Skinner
Billings	Gilbert	Moller	Spicer
Braman	J. G. Graham	Morey	Stein
Brill	J. S. Graham	Nachtmann	Stephenson
J. S. Brown	Gulick	Neilson	Stone
Bulmer	Hamilton	Niven	Tabor
E. Case	Hammond	O'Hare	Thistlethwaite
Clark	Hayes	Orr	Tighe
Corbett	Herbst	Peck	Valentine

Corsa	Hodges	Piper	Waddell
Coulter	Hogeboom	Potter	Webb
Cozans	Holahan	Proper	Weiant
Crowley	Keator	Purdy	Wemple
Davenport	King	Rice	Williams
Dillmeier	Langbein		

For the negative,

Rooney

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 23 of chapter 10 of the Laws of 1859, entitled 'An act to amend an act entitled An act to revise, amend and consolidate the several acts relating to the village of Whitesborough, passed February 12, 1859,' as amended by chapter 304 of the Laws of 1878," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dimond	Maher	Sanders
Baker	Fay	Maynard	Shanley
S. Baldwin	Filkin	McFalls	Shannon
M. L. Baldwin	Fish	McGraw	Sheldon
Billings	Flecke	McKee	Skillman
Bissell	Floyd-Jones	Moller	Skinner
Bowen	J. G. Graham	Moody	Smith
Bradley	J. S. Graham	Moore	Speaker
Braman	Gulick	Morey	Spicer
Brill	Hamilton	Nachtmann	Stephenson
J. S. Brown	Herbst	Niven	Stone
Bulmer	Hodges	O'Hare	Tabor
E. Case	Hogeboom	Orr	Thistlethwaite
G. M. Case	Holahan	Peck	Tighe
Clapp	Husted	Piper	Waddell
Clark	Keator	Potter	Webb
Coulter	King	Proper	Wemple
Cowdin	Langbein	Rice	Wickes
Crowley	Langner	H. H. Rockwell	Williams
Davenport	Longyear	W. L. Rockwell	Winch
Dillmeier	Lyon	Rooney	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to secure better public administration within the city and county of New York," being announced for a third reading,

Mr. Husted moved to recommit said bill to the committee on affairs of cities, with instructions to amend said bill in words following, and report the same forthwith, retaining its place on the order of "third reading of bills: "

Section 40. After the word "city," in line seven of the printed bill, insert as follows: "Shall hereafter consist of the mayor of the city of New York and the comptroller of said city, and of three discreet reputable persons, who shall be known as commissioners of apportionment, and shall be citizens and tax-payers in said city, which said three commissioners shall be appointed by the recorder of the city of New York, and shall hold their office for five years from the date of their appointment, and until others are appointed in their stead. They shall receive no compensation for their services. In case of a vacancy in the office of either of said commissioners the same shall be filled within ten days from the occurrence of said vacancy, by the said recorder, for the remainder of the unexpired term. Said board"

Mr. Fish moved the following as a substitute for the amendments offered by Mr. Husted: That bill No. 254, entitled "An act to secure better public administration within the city and county of New York" be recommitted to the committee on affairs of cities, with instructions to amend as follows, and report back forthwith, retaining its place on the order of third reading of bills:

Section 40, line 6. After word "city," at end of line six, insert as follows: "Shall hereafter consist of the mayor of the city of New York, the comptroller of said city, the president of the department of taxes and assessments, and the president of the board of aldermen, and of three discreet, reputable citizens, and who shall hold no other office under the city or State government; who shall be known as commissioners of apportionment; which said three commissioners shall be appointed by the mayor of the city of New York, within ten days after the passage of this act, and shall hold their offices for the terms of three, four and five years, respectively, from the date of their appointment, and until others are appointed in their stead. They shall receive no compensation for their services. In case of a vacancy in the office of either of said commissioners, the same shall be filled within ten days from the occurrence of said vacancy, by the said mayor, for the remainder of the unexpired term."

Mr. Alvord moved that the time of this session be indefinitely postponed.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Alvord, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Fish, and it was determined in the affirmative.

{ AYES 77 }  
{ NOES 27 }

Those who voted in the affirmative, were

Benedict	Dimond	McGroarty	Sheldon
Berrigan	Fay	McKee	Sliter
Billings	Fish	Moller	Smith
Billington	Flecke	Morey	Speaker
Bissell	Floyd-Jones	Nachtmann	Spicer
Bradley	Gere	Neilson	Spinola
Braman	Gilbert	Niven	Stein
Brill	Grady	Noyes	Stephenson
J. H. Brown	J. S. Graham	Piper	Stone
Bulmer	Hamilton	Proper	Strahan

Burns	Hammond	Purdy	Tabor
E. Case	Healy	Rice	Taylor
G. M. Case	Herrick	H. H. Lockwell	Thistlethwaite
Childs	Holahan	W. L. Rockwell	Tighe
Coulter	Langbein	Rooney	Webb
Cowdin	Langner	Ruggles	Weiant
Cozans	Longyear	Sanders	Wemple
Crowley	Maher	Shanley	Wickes
Davenport	Maynard	Shannon	Williams
Dillmeier			

Those who voted in the negative, were

Alvord	J. G. Graham	King	Post
Baker	Gulick	Marvin	Potter
S. Baldwin	Hayes	McGraw	Skinner
T. A. Case	Herbst	Moody	Suydam
Clapp	Hodges	Moore	Valentine
Clark	Husted	O'Hare	Waddell
Filkin	Keator	Peck	

When the name of Mr. Gallagher was called, he stated that he had paired with Mr. Galvin.

Mr. Fish, from the committee on affairs of cities, reported back said bill to the House amended, as instructed.

Mr. Fish then moved to recommit said bill to the committee on affairs of cities, with instructions to amend said bill as follows, retaining its place on the order of "third reading of bills," and to report back said bill to the House forthwith:

Section 3, line 6, after the word "has" insert the words "after the passage of this act." Line 13, strike out the word "conclusive" and insert the word "presumptive." Strike out the words "and the same cannot thereafter be questioned in any manner whatever."

Section 4, strike out lines 15, 16, 17 and 18.

Section 10, line 15, after the word "completion," insert the words "or where after such notice the sureties shall, in the opinion (expressed in writing) of such head of department, willfully violate any of the conditions of the contract or unnecessarily delay the completion thereof, then and in either of such events."

Section 18, line 10, strike out the words "have heretofore certified" and insert the words "did within the time fixed by said act and before their final adjournment certify." Line 41, add the words "nothing in this section contained shall be construed to authorize or legalize any assessment not now authorized or legalized for work heretofore done, in any case where the property to be affected thereby, or any interest therein has been transferred since such work was done." Line 30, after the word "incurred," insert the words "in pursuance of law."

Section 19, line 14, strike out the words "at the time of commencement of such local improvement." Line 23, after the word "made," insert the words "and not heretofore vacated or set aside by the order of any court."

Section 34, at end of section, add as follows: "Nothing in this section contained shall be construed to revive or render legal any demand or claim which was, prior to the passage of this act, barred by any statute, except in cases where actions have been begun or a demand made."

Section 40, line 8, after the word "powers" insert the words "on or before August 1, 1877." Line 9, after the word "tax" insert the words "other than the heads of departments and the officers whose salaries have been or shall be specifically fixed by the present Legislature, but shall not increase any salary beyond its amount in the year 1876." Line 18, after the word "apportionment" insert the words "upon the application of the head of the department."

Section 46, at the end add as follows: "Nor shall such repeal create or revive, or legalize any liability or claim against said city or county, or any public officer or fund thereof."

Amend the the title so as to read: "An act to secure better public administration in the local government of New York."

Mr. Fish moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Fish, and it was determined in the affirmative.

Mr. Fish, from the committee on affairs of cities, reported back said bill, as amended, as instructed by the House.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 101 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Flecke	Marvin	Shannon
Baker	Floyd-Jones	Maynard	Sheldon
S. Baldwin	Gallagher	McGroarty	Skinner
Berrigan	Gere	McKee	Sliter
Billings	Gilbert	Moller	Smith
Bissell	Grady	Moody	Speaker
Bradley	J. G. Graham	Moore	Spicer
Braman	J. S. Graham	Morey	Spinola
Brill	Gulick	Nachtmann	Stein
J. H. Brown	Hamilton	Neilson	Stephenson
Bulmer	Hammond	Niven	Stone
Burns	Hayes	Noyes	Strahan
G. M. Case	Healy	O'Hare	Suydam
T. A. Case	Herrick	Peck	Tabor
Childs	Herbst	Piper	Taylor
Clapp	Hodges	Post	Thistlethwaite
Corsa	Holahan	Potter	Tighe
Coulter	Husted	Proper	Valentine
Cowdin	Keator	Purdy	Waddell
Cozans	King	Rice	Webb
Davenport	Lang	H. H. Rockwell	Weiant
Dillmeier	Langbein	W. L. Rockwell	Welsh
Dimond	Langner	Ruggles	Wemple
Fay	Longyear	Sanders	Wickes

Filkin  
Fish

Maher

Shanley

Williams

For the negative,

Rooney

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Husted moved that this House do now adjourn, to meet to-morrow morning at 10 o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon, at 10 o'clock and 45 minutes, the House adjourned.

## THURSDAY, MARCH 29, 1877.

The House met pursuant to adjournment.

No clergyman present.

The journal of yesterday was read and approved.

Mr. Husted moved to lay the order of business "third reading of bills" on the table, for the purpose of taking up the order of business introduction of bills and reports of standing committees.

Mr. Stein moved to amend by adding the words "and resolutions."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Stein, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Husted, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Moody introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the city of Binghamton, passed April 9, 1867,' and the several acts amending the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Corsa introduced a bill entitled "An act relative to jurors in district courts in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act relative to summary proceedings to recover the possession of lands for non-payment of rent, and for holding over after expiration of term, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Baker introduced a bill entitled "An act to incorporate the Whitehall Water-works Company and to enable the village of Whitehall to contract with said company for the use of water," which was read the first time, and by unanimous consent was also read the second time, when,

On motion of Mr. Baker, and by unanimous consent, said bill was ordered to a third reading.

Mr. Valentine introduced a bill entitled "An act to amend chapter 907 of the Laws of 1869, in reference to railroads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Moller introduced a bill entitled "An act in relation to officers or employes of any city government," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Skinner introduced a bill entitled "An act to authorize the trustees of the First Baptist Church and Society of Hoosic Falls, New York, to remove the dead from their burying ground to the cemetery, and to authorize them to sell their burying ground," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Hogeboom introduced a bill entitled "An act to authorize the common council of the city of Hudson to borrow \$5,000 for maintenance of the water-works of said city," which was read the first time, and by unanimous consent was also read the second time, when,

On motion of Mr. Hogeboom, and by unanimous consent, said bill was ordered to a third reading.

Mr. Gilbert, from the committee on railroads, to which was referred the Senate bill entitled "An act to authorize the Utica and Black River Railroad Company to charge and collect a uniform rate of fare for passengers on the roads operated by said company," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Gilbert, and by unanimous consent, said bill was recommitted to the committee on railroads, retaining its place on general orders.

Mr. Webb, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Niven, Int. No. 799, entitled "An act to incorporate the Narrowsburgh Bridge Company," reported adversely thereto, which report was agreed to.

Mr. Webb, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Maher, Int. No. 814, entitled "An act to amend chapter 374 of the Laws of 1866, entitled 'An act to amend chapter 356 of the Laws of 1837, entitled An act for the appointment of a Harbor Master for the Port of Albany,'" reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Webb, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Brill, Int. No. 785, entitled "An act to empower the board of supervisors of Suffolk county to appoint three commissioners to locate an inlet from the Atlantic ocean to Shinnecock bay in said county," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Webb, from the committee on commerce and navigation, to which was referred the Senate bill entitled "An act to amend chapter 166 of the Laws of 1874, entitled 'An act to incorporate the Maritime Association of the Port of New York,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Alvord, and by unanimous consent, the committee of the whole was discharged from the further consideration of said bill and the same was ordered to a third reading.

Mr. Nachtmann offered for the consideration of the House a resolution, in the words following:



*Whereas*, The Constitution of this State, by sections 4 and 5, directs that an enumeration of the inhabitants of the State shall be taken every ten years, and the districts (meaning Senate and Assembly) shall be so altered by the Legislature, at the first session after the return of every enumeration, that each district shall contain, as nearly as may be, an equal number of inhabitants, excluding aliens and persons of color not taxed; and,

*Whereas*, Such enumeration has taken place in 1875, according to the provisions of the Constitution as aforesaid; and,

*Whereas*, The Legislature of 1876, being the first after such enumeration, failed to so direct and alter such Senate and Assembly districts; and,

*Whereas*, This present House has appointed, at the commencement of its session, a committee on apportionment, and such committee, thus far, failed to report to this House any bill or measure looking towards such alterations as required; therefore, be it

*Resolved*, That the standing committee on apportionment of this House be hereby directed and required to report to this House, within ten days, a proper bill for such apportionment, in compliance with the intent and spirit of the Constitution as aforesaid.

Said resolution giving rise to debate,

*Ordered*, That the same be laid on the table.

Mr. Hogeboom, from the committee on general laws, to which was referred the bill introduced by Mr. Billington, Int. No. 850, entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hogeboom, from the committee on general laws, to which was referred the bill introduced by Mr. Husted, Int. No. 431, entitled "An act to amend an act entitled 'An act to provide for the organization and regulation of certain business corporations,' passed June 21, 1875," reported adversely thereto, which report was agreed to.

Mr. Hogeboom, from the committee on general laws, to which was referred the bill introduced by Mr. Husted, Int. No. 432, entitled "An act to provide for the organization and regulation of certain business corporations, passed June 21, 1875," reported adversely thereto, which report was agreed to.

Mr. J. G. Graham, from the committee on insurance, to which was referred the Senate bill entitled "An act in relation to the names of insurance companies," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Husted said bill was substituted for Assembly bill No. 122, on same subject.

Mr. Fish offered a concurrent resolution proposing an amendment to the Constitution, which was committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Davenport, Int. No. 467, entitled "An act to establish the compensation of the county judge and the surrogate of Otsego county, pursuant to the fifteenth section of the amended sixth article of the Constitution," reported adversely thereto.

On motion of Mr. Strahan, said report was laid on the table.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. J. G. Graham, Int. No. 682, entitled "An act in relation to gambling in stocks, bonds and gold," reported adversely thereto, which report was agreed to.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Ruggles, Int. No. 602, entitled "An act to reduce the salary of the county judge of the county of Steuben," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Ruggles, Int. No. 821, entitled "An act to provide for security for costs in certain actions at law, and to prevent malicious litigation," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Tabor, Int. No. 883, entitled "An act to legalize the official acts and proceedings of J. Henry Underhill, a justice of the peace of the town of Boston, Erie county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Benedict, Int. No. 844, entitled "An act to authorize the town of Deerpark, in the county of Orange, to elect an additional justice of the peace," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. J. G. Graham, Int. No. 830, entitled "An act to repeal sections 4, 5 and 6 of chapter 564 of the Laws of 1875," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Benedict, Int. No. 845, entitled "An act to regulate or prohibit the practice of law by county judges, and to prohibit the clerks of surrogates' courts from practicing therein," reported adversely thereto.

On motion of Mr. Benedict, said report was laid on the table.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Taylor, Int. No. 737, entitled "An act to legalize and confirm the title of Edwin Carr and Maurice Nelan to certain lands in Bethany, Genesee county," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the committee on the judiciary be discharged from the further consideration of the bill entitled "An act to confer on boards of supervisors further powers of local legislation," and that the same be referred to the committee on general laws.

Mr. Strahan, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to amend chapter 667 of the Laws of 1870, entitled 'An act to incorporate the Brooklyn Library Building

Fund Association of the Eastern district," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to authorize the election of women to school offices," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. McGroarty presented the following privileged report:

The committee to which was referred bill No. 140, entitled "An act to enable the city of Brooklyn to raise further means for the improvement of Prospect park in said city," reported that they consent to the passage of said bill, with the following amendment:

Line 13, after the word "city," insert the words "known as park bonds, and payable out of the sale of park lands."

JOHN MCGROARTY.

JAMES G. TIGHE.

JOHN SHANLEY.

ADRIAN M. SUYDAM.

C. L. LYON.

W. W. STEPHENSON.

J. S. DILLMEIER.

On motion of Mr. McGroarty, and by unanimous consent, said bill was read a third time.

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Floyd-Jones	McGraw	Shanley
Baker	Galvin	McGroarty	Shannon
S. Baldwin	Grady	McKee	Skillman
Barnes	J. G. Graham	Moller	Skinner
Billings	J. S. Graham	Moody	Sliter
Billington	Gulick	Moore	Speaker
Bissell	Hamilton	Morey	Spicer
Braman	Hammond	Nachtmann	Stein
Brick	Hayes	Niven	Stephenson
Brill	Healy	Orr	Strahan
Bulmer	Hepburn	Peck	Suydam
E. Case	Herrick	Piper	Tabor
Childs	Herbst	Post	Taylor
Clapp	Hodges	Potter	Thistlethwaite
Clark	Holahan	Proper	Tighe
Corbett	Humphrey	Rice	Valentine
Corsa	Husted	H. H. Rockwell	Waddell
Cozans	Keator	W. L. Rockwell	Webb
Davenport	Langbein	Rooney	Weiant
Dillmeier	Langner	Ruggles	Wemple
Dimond	Longyear	Sager	Wickes

Fay  
Fish  
Flecke

Lyon  
Maynard  
McFalls

Sanders  
Santee

Williams  
Winch

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

When the name of Mr. Bradley was called he asked to be, and was excused from voting.

Mr. J. S. Graham called from the table the report of the sub-committee of the whole in favor of the passage of the bills entitled as follows :

G. O. 315, No. 306, "An act authorizing and empowering the common council of the city of Rochester to construct a turn-table or swing-bridge over the Erie canal, in Allen street, in the city of Rochester."

G. O. 333, No. 323, "An act to authorize the city of Rochester to acquire the title to land or other property for the use of water-works."

G. O. 295, No. 287, "An act authorizing the commissioners of highways of the town of Glenville, Schenectady county, to appropriate a portion of the moneys received for commutation of highway labor to the payment of interests of investments of said town incurred in the purchase and rebuilding of the Mohawk and Schenectady Bridge Company's bridges, and for repairs of said bridges."

G. O. 364, No. 351, "An act in relation to the appointment of town constables in the county of Ontario." [With amendments.]

Senate, G. O. 357, No. 47, "An act to authorize the treasurer of Monroe county to sell property for unpaid taxes."

Said report was agreed to, and said bills ordered to a third reading.

Mr. J. S. Graham called from the table the report of the sub-committee of the whole in favor of the passage of the bills entitled as follows :

Senate, G. O. 299, No. 62, "An act to amend chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plank-roads and turnpikes.'"

Senate, G. O. 375, No. 36, "An act to authorize the appointment of a librarian to take charge of the law library in the fifth judicial district, located at Utica."

G. O. 234, No. 234, "An act to authorize the county clerk of the county of Chenango to certify defective records and enter certain orders and judgments, omitted to be entered by his predecessors in office." [With an amendment.]

G. O. 360, No. 347, "An act to provide for the filing of security for the payment of damages and costs by the plaintiff in actions or proceedings against physicians, surgeons and dentists for damages or punishment for malpractice."

G. O. 318, No. 310, "An act to provide better facilities for the election of town officers in the town of Watervliet, Albany county."

G. O. 349, No. 339, "An act to amend chapter 68 of the Laws of 1860, entitled 'An act to consolidate and amend the several acts relating to the village of Catskill,' passed March 14, 1860." [With an amendment.]

G. O. 302, No. 293, "An act to authorize the First Presbyterian Church of Kortright, Delaware county, to change its corporate name, and to legalize the acts of the trustees of said church heretofore done under the name of the United Presbyterian Church of Kortright, and to legalize all the proceedings had by said church under the name of said United Presbyterian Church."

G. O. 288, No. 280, "An act to amend chapter 371 of the Laws of

1875, entitled 'An act to conform the charters of all savings banks or institutions for savings to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision and for the administration of their affairs.'"

Senate, G. O. 376, No. 60, "An act relating to Gowanda union free school district, composed of a part of the town of Collins, in Erie county, and parts of the towns of Persia and Perrysburgh, in Cattaraugus county."

The question being on agreeing to said report,

Mr. Alvord moved to disagree with the report so far as relates to the bill entitled "An act to provide for the filing of security for the payment of damages and costs by the plaintiff in actions or proceedings against physicians, surgeons and dentists for damages or punishment for malpractice," and that the same be committed to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Alvord also moved to disagree with the report so far as relates to the bill entitled "An act to amend chapter 371 of the Laws of 1875, entitled 'An act to confirm the charters of all savings banks or institutions for savings, to uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision, and for the administration of their affairs,' " and that the same be committed to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the remainder of the report, and it was determined in the affirmative, and said bills ordered to a third reading.

Mr. J. S. Brown introduced a bill entitled "An act to extend the time for the collection of county taxes in the city of Auburn," which was read the first time, and by unanimous consent was also read the second time, when

On motion of Mr. J. S. Brown, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 92 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Fay	Maher	W. L. Rockwell
Baker	Filkin	Marvin	Rooney
S. Baldwin	Fish	Maynard	Ruggles
M. L. Baldwin	Flecke	McFalls	Sager
Barnes	Floyd-Jones	McGraw	Santee
Benedict	Galvin	McGroarty	Shannon
Billings	Gilbert	McKee	Sheldon
Bissell	Grady	Moller	Skillman
Bradley	J. G. Graham	Moody	Skinner
Braman	Gulick	Moore	Spicer
Brill	Hamilton	Morey	Stein
J. S. Brown	Healy	Nachtmann	Stephenson

Bulmer	Herbst	Neilson	Stone
E. Case	Hodges	Niven	Strahan
G. M. Case	Hogeboom	Noyes	Suydam
T. A. Case	Holahan	Orr	Tabor
Childs	Humphrey	Peck	Taylor
Corbett	Husted	Piper	Thistlethwaite
Corsa	Keator	Post	Valentine
Cowdin	King	Potter	Webb
Crowley	Langbein	Proper	Welsh
Davenport	Longyear	Rice	Wemple
Dillmeier	Lyon	H. H. Rockwell	Winch

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Strahan called from the table the report of the sub-committee of the whole so far as relates to the Senate bill entitled "An act to authorize the police department or board of police of any city to appoint policemen of district telegraph companies," and that said report be agreed to, and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Leave of absence was granted to Mr. Noyes for this session.

Mr. Welsh, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to release to the estate of Charles Doran, deceased, the right, title and interest of the people of the State of New York in and to certain real estate in the city of Poughkeepsie."

"An act in relation to the indictment and punishment of criminal offenses committed on railroads within the State."

"An act to repeal chapter 588 of the Laws of 1869, entitled 'An act relative to the improvement of Mamaroneck harbor, and for the promotion of the public health,' passed May 5, 1869."

"An act to amend chapter 737 of the Laws of 1873, entitled 'An act in relation to the creation and formation of water-works companies in towns and villages of the State of New York,' passed June 12, 1873."

"An act in relation to the repaving and improvement of Fourth street from Division avenue to Grand street, in the city of Brooklyn."

"An act to organize a fire department in the village of Andes, Delaware county."

"An act to establish a fire department in the second school district of the town of Glenville, in the county of Schenectady, and for the government and maintenance of the same."

"An act for the relief of school districts wishing to contract with boards of education of cities, to educate their children in city schools."

"An act to authorize the village of Sag Harbor, Suffolk county, to borrow money for purchasing a steam fire apparatus, with the necessary appurtenances therefor, and to secure a supply of water therefor."

"An act to release to Miles Perry and his legal representatives the title and interest of the people of the State of New York in certain real estate in the town of Riga and county of Monroe."

"An act to amend chapter 410 of the Laws of 1874, entitled 'An act to authorize towns and villages to provide a sinking fund for the payment of their bonded indebtedness,' so far as the same relates to the county of Chautauqua."

"An act to amend an act entitled 'An act to establish a local court of

civil jurisdiction in the city of Rochester, to be called the Municipal Court of the city of Rochester, and to amend the charter of said city,' passed May 2, 1876."

"An act to create a police pension fund for disabled and retired policemen in the city of Brooklyn."

"An act to amend chapter 71 of the Laws of 1844, entitled 'An act to amend an act for the incorporation of the village of Oxford, and for other purposes,'"

"An act to amend chapter 76 of the Laws of 1850, entitled 'An act to revise and consolidate the laws in relation to the village of Whitehall,' passed March 16, 1850, and the other acts amendatory thereof."

"An act to prevent fishing for trout for three years in Owasco lake, in the county of Cayuga."

"An act to confirm the acts of the trustees of the Raquetteville Cemetery Association of North Potsdam, and to authorize the transfer of the remains of deceased persons buried in the grounds of such association to other grounds, and to authorize the sale and conveyance of the grounds abandoned."

"An act to further amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,' passed April 26, 1871."

"An act to amend chapter 667 of the Laws of 1872, entitled 'An act in relation to the cleaning of the streets, avenues, lanes, alleys, gutters, wharves, piers and heads of slips in the city of New York, and the removal of all ashes, garbage, rubbish and sweepings, and all dead animals, blood, offal and other refuse matter, and all bones, fish not fit for human food, and all diseased, tainted and impure meats, and other like matters in said city, therefrom, and in relation to the supervision and enforcement of and cancellation of existing contracts and arrangements in respect thereto,' passed May 14, 1872."

"An act in relation to the Superintendent of State Prisons, and for their more efficient and economical management."

"An act to amend chapter 559 of the Laws of 1874, entitled 'An act to incorporate the Niagara Grand Island Bridge Company.'"

"An act to authorize the trustees of the corporation of the village of Portageville, county of Wyoming, to cause an assessment to be made of the taxable property of said corporation and to be levied and collected a tax sufficient to pay the indebtedness of said corporation."

"An act to amend chapter 389 of the Laws of 1876, entitled 'An act to amend chapter 504 of the Laws of 1875, entitled An act to amend chapter 455 of the Laws of 1874, entitled An act to protect the fisheries of Cross lake, in the county of Onondaga, State of New York; also, of Clyde and Seneca rivers, in the counties of Wayne and Cayuga,'"

"An act to authorize the trustees of incorporated rural cemeteries to register the lots thereof, and to impose a tax upon the lot owners in said cemeteries."

"An act to amend section 3 of chapter 443 of the Laws of 1876, entitled 'An act supplemental to the act entitled An act to revise the charter of the city of Syracuse, passed March 3, 1857,' and the acts amendatory thereto, passed June 2, 1876."

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Moller, Int. No. 587, entitled "An act to incorporate the Battle of White Plains Monument Association, and to provide for the laying out of a plot of ground in the village of White

Plains, county of Westchester, and State of New York, and for the erection of a monument thereon, commemorating the battle of White Plains, fought October 28, 1776," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Morey presented a petition of tax-payers of the town of Sparta, Livingston county, in favor of the passage of the bill entitled "An act for the assessment and taxation of all the property in the State at its true value in money;" which was read and referred to the committee on ways and means.

Mr. Hayes presented a petition of property owners on the line of the Gilbert Elevated railroad, New York, against the continuance of the work; which was read and referred to the committee on the judiciary.

Mr. Sliter presented a petition to the Legislature as to tolls on Webster plank-road, in Rensselaer county; which was read and referred to the committee on roads and bridges.

Mr. Maynard presented a remonstrance of citizens of Delaware county against the passage of the act allowing the Charlotte Turnpike Company to abandon part of its road; which was read and referred to the sub-committee of the whole.

The bill entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations," being announced for a third reading,

Mr. Baker moved to recommit said bill to the committee on ways and means, the same retaining its place on the order of business, third reading of bills, said committee to report the bill back to the House forthwith, with instructions to strike out, all after line 427, in the words following:

"For the construction of a draw in the bridge over the navigable channel of the Oneida river, at Brewerton, between the counties of Oswego and Onondaga, the sum of seven thousand five hundred dollars.

**"PAYABLE FROM THE ORDINARY CANAL REPAIR FUND.**

"For the construction of a lift-bridge over the Oswego canal, in the city of Syracuse, on Salina street, at its intersection with Bridge street, in place of the bridge now over said canal at that point, which was authorized by chapter three hundred and eighty-two of the Laws of eighteen hundred and seventy-four, the sum of twelve thousand dollars, or so much thereof as may be necessary.

"For the construction of an iron bridge over the Clark and Skinner canal, at Scott street, in the city of Buffalo, the sum of three thousand dollars, or so much thereof as may be necessary.

"For the construction of a foot-bridge over the Erie canal, at Mudlock, at the junction of the Cayuga and Seneca canal, the sum of five hundred dollars, or so much thereof as may be necessary.

"For rebuilding bridges over the State ditch on Main and Delaware streets, in the village of Tonawanda, Erie county, and for building a bridge over said ditch on Fletcher street, in said village, the sum of two thousand dollars, or so much thereof as may be necessary.

"For the construction of three bridges over the State ditch in the village of Tonawanda, in Niagara county, at Marion street, Oliver street and Van Vort street, the sum of two thousand five hundred dollars, or so much thereof as may be necessary.

"For the construction of a swing or lift-bridge over the Erie canal, in the village of Brighton, Monroe county, in place of the bridge now



over said canal at that point, the sum of four thousand five hundred dollars, on condition that the approaches to said bridge and the help necessary to attend it be provided by the locality where the said bridge is situated."

Mr. J. S. Graham moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Baker, and it was determined in the negative.

{ AYES 42 }  
{ NOES 65 }

Those who voted in the affirmative, were

Baker	Cozans	Moller	Skinner
S. Baldwin	Filkin	Moody	Spicer
M. L. Baldwin	Gilbert	Moore	Spinola
Billington	J. S. Graham	Nachtmann	Stein
Bradley	Gulick	Potter	Suydam
Braman	Hepburn	Proper	Waddell
Brick	Hogeboom	Purdy	Weiant
J. H. Brown	Humphrey	Ruggles	Welsh
E. Case	Husted	Santee	Williams
Clapp	Keator	Sheldon	Winch
Corbett	McKee		

Those who voted in the negative, were

Alvord	Dillmeier	Langner	H. H. Rockwell
Barnes	Dimond	Longyear	W. L. Rockwell
Benedict	Fish	Lyon	Rooney
Berrigan	Flecke	Maher	Sager
Billings	Floyd-Jones	Marvin	Sanders
Bissell	Gallagher	Maynard	Shannon
J. S. Brown	Galvin	McFalls	Smith
Bulmer	Grady	McGraw	Stephenson
Burns	J. G. Graham	McGroarty	Stone
G. M. Case	Hamilton	Morey	Tabor
T. A. Case	Hayes	Niven	Taylor
Childs	Herrick	O'Hare	Thistlethwaite
Corsa	Herbst	Orr	Tighe
Coulter	Hodges	Peck	Valentine
Cowdin	King	Post	Wemple
Crowley	Langbein	Rice	Wickes
Davenport			

When the name of Mr. Alvord was called he asked to be, and was not, excused from voting.

Mr. Post moved to recommit said bill to the committee on ways and means, the same retaining its place on the order of third reading and to report said bill back to the House forthwith, with instructions to amend the same in the words following:

"For the purpose of establishing a law library, to be located at Auburn, Cayuga county, for the use of the Supreme Court, the sum of two thousand dollars, to be expended in the purchase of books, under the direction and supervision of, the justice of the Supreme Court residing

in said city. The warrant of the Comptroller shall not, however, be issued for the above mentioned sum until an equal amount shall be raised, either by private subscription or otherwise, and placed at the disposal of said justice for the same purpose. The certificate of said justice of the Supreme Court of the fact shall be evidence to the Comptroller that the sum has been raised and placed at his disposal.

"For the Comptroller, for payment to county clerks and the clerk of the city and county of New York, out of any moneys paid into the treasury by them as received from notaries public, under chapter 87 of the Laws of 1875, the sum of six hundred and forty dollars, or so much thereof as may be necessary to pay such clerks for services performed under said chapter."

Mr. Fish moved to amend by further instructing said committee to strike out, in line 68, printed bill, after the word "establishing," the words "a library" and insert the word "libraries." In line 70, after the word "county," insert the words "and Poughkeepsie, Dutchess county." Line 72, add the letter "s" after the word "justice." Same line, the word "city" should read "cities."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Fish, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Post, and it was determined in the negative.

{ AYES 36 }  
{ NOES 63 }

Those who voted in the affirmative, were

Alvord	Gallagher	Husted	Post
Baker	Galvin	King	Ruggles
Braman	Gere	Langner	Shanley
J. H. Brown	Gilbert	Maynard	Shannon
J. S. Brown	J. G. Graham	McGraw	Smith
G. M. Case	Hayes	Moody	Speaker
Childs	Hepburn	Morey	Thistlethwaite
Cozans	Herbst	O'Hare	Tighe
Filkin	Hodges	Orr	Valentine

Those who voted in the negative, were

S. Baldwin	Floyd-Jones	Moore	Spicer
Barnes	Grady	Nachtmann	Spinola
Benedict	Gulick	Niven	Stein
Berrigan	Hamilton	Peck	Stone
Billings	Hammond	Potter	Strahan
Bissell	Hogeboom	Proper	Suydam
Brill	Holahan	Purdy	Tabor
Burns	Keator	Rice	Taylor
Clapp	Lang	H. H. Rockwell	Waddell
Clark	Langbein	W. L. Rockwell	Weiant
Coulter	Longyear	Rooney	Welsh
Cowdin	Lyon	Sager	Wemple
Crowley	Maher	Sanders	Wickes
Davenport	Marvin	Santee	Williams
Dillmeier	McFalls	Skillman	Winch
Fish	McKee	Skinner	

Mr. J. G. Graham moved to recommit said bill to the committee on ways and means, with instructions to amend said bill in the words following, said committee to report forthwith :

Insert after line 113, the following : " To the trustees of Washington head-quarters at the city of Newburgh, N. Y., the sum of eleven hundred and fifty dollars, to be used only in building a plain, substantial iron fence, with necessary gates along the whole front side of said grounds on Liberty street, a distance of about 300 feet, to be paid only, provided there shall first be placed by the trustees necessary and sufficient fence from funds raised by subscription, or otherwise, around the remaining sides of said grounds, a distance of over 1,700 feet."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Husted, from the committee on ways and means, reported back said bill to the House amended as instructed.

Mr. Purdy moved to recommit said bill to the committee on ways and means with instructions to amend the same as follows : After the word " dollars," in line 68, insert the words " Provided that all libraries receiving money appropriated under this act, must be open to the free use of the members of the bar of the State of New York," said committee to report forthwith.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Husted, from the committee on ways and means, reported back said bill to the House amended as instructed.

Mr. McKee moved to recommit said bill to the committee on ways and means with instructions to amend the same as follows : Strike out, from and including the word " John" in line 319, down to and including the word " business" in line 323, and to report said bill back to the House forthwith.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

} AYES 51 }  
} NOES 59 }

Those who voted in the affirmative, were

Benedict	Dimond	McKee	Sliter
Billings	Fish	Moller	Stein
Bissell	Flecke	Moore	Stone
J. H. Brown	Galvin	Neilson	Tabor
Burns	Gilbert	Niven	Taylor
E. Case	Hamilton	Peck	Webb
G. M. Case	Hogeboom	Potter	Weiant
Clapp	Keator	Proper	Welsh
Corbett	Lang	W. L. Rockwell	Wemple
Coulter	Longyear	Rooney	Wickes
Cozans	Maynard	Sanders	Williams
Crowley	McFalls	Shannon	Winch
Davenport	McGraw	Sheldon	

Those who voted in the negative, were

Alvord	Filkin	King	Sager
Baker	Floyd-Jones	Langbein	Santee
S. Baldwin	Gallagher	Lyon	Shanley

Barnes	Gere	Maher	Skillman
Billington	Grady	Marvin	Skinner
Bradley	J. G. Graham	McGroarty	Smith
Braman	J. S. Graham	Moody	Speaker
Brill	Gulick	Morey	Spicer
J. S. Brown	Hammond	Nachtmann	Spinola
T. A. Case	Hayes	O'Hare	Stephenson
Childs	Hepburn	Orr	Strahan
Clark	Herbst	Post	Suydam
Corsa	Hodges	Purdy	Thistlethwaite
Dillmeier	Holahan	H. H. Rockwell	Waddell
Fay	Husted	Ruggles	

Mr. Alvord moved to extend the time of this session indefinitely.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Husted moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 89 }  
{ NOES 14 }

Those who voted in the affirmative, were

Alvord	Dillmeier	Langbein	Sager
Baker	Dimond	Longyear	Santee
S. Baldwin	Fay	Lyon	Shanley
M. L. Baldwin	Filkin	Maher	Shannon
Benedict	Floyd-Jones	Marvin	Sheldon
Berrigan	Gallagher	McFalls	Skillman
Billings	Galvin	McGraw	Smith
Billington	Gere	McGroarty	Speaker
Bissell	Gilbert	McKee	Spicer
Bradley	J. G. Graham	Moody	Stein
Braman	J. S. Graham	Moore	Stephenson
Brill	Gulick	Morey	Stone
J. S. Brown	Hammond	Neilson	Strahan
Burns	Hayes	O'Hare	Suydam
E. Case	Herbst	Orr	Tabor
T. A. Case	Hodges	Peck	Taylor
Childs	Hogeboom	Post	Thistlethwaite
Clapp	Holahan	Potter	Waddell
Clark	Husted	Rice	Webb
Corsa	Keator	H. H. Rockwell	Wickes
Cozans	King	W. L. Rockwell	Williams
Crowley	Lang	Ruggles	Winch
Davenport			

Those who voted in the negative, were

J. H. Brown	Healy	Purdy	Skinner
Corbett	Maynard	Rooney	Sliter
Coulter	Nachtmann	Sanders	Spinola
Flecke	Niven		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Husted moved that the House do now adjourn, to meet to-morrow morning at 10½ o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon, at 2 o'clock, the House adjourned.

## FRIDAY, MARCH 30, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Upson.

The journal of yesterday was read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows :

"An act in relation to the collection of taxes and the sales of land therefor in certain towns of Queens county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to legalize the State and county taxes in the city of Cohoes, Albany county, for the years 1870, 1871, 1872, 1873, 1874 and 1875, and to provide for the collection thereof, and to authorize the sale of lands in the city of Cohoes for unpaid State and county taxes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act supplemental to chapter 335 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Fish gave notice that, at some future day, he would move to suspend rule 25 for the purpose of placing said bill on the preferred calender.

"An act to incorporate the Grand Central Railway Company of Bolivia," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to incorporate the Cathedral of the Incarnation, in the diocese of Long Island," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

On motion of Mr. Floyd-Jones, and by unanimous consent, said bill was substituted for Assembly bill on same subject.

"An act to legalize the State and county taxes in the city of Cohoes, Albany county, for the years 1870, 1871, 1872, 1873, 1874 and 1875, and to provide for the collection thereof, and to authorize the sale of lands in the city of Cohoes for unpaid State and county taxes," which was

read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act authorizing life insurance companies that register policies, to deposit to the account of such policies, New York city and Brooklyn city bonds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

The Senate returned the bills entitled as follows:

"An act to legalize the act of George H. Clark as notary public."

"An act to incorporate St. Raymond's Cemetery of Westchester, in the State of New York."

"An act to confirm the election of trustees in the village of North Tonawanda, in the county of Niagara, and to provide for their election hereafter."

"An act to amend chapter 156 of the Laws of 1852, entitled 'An act to amend an act entitled 'An act to provide for the establishment of free schools in the village of Newburgh,' passed April 6, 1852, passed March 7, 1865.'"

"An act to authorize the common council of the city of Buffalo to make an appropriation for the deficiency in the poor fund of 1876 of said city."

"An act to amend sections 75 and 76 of the charter of the city of Kingston."

"An act to legalize the official acts of Dougald E. Cameron as a justice of the peace in and for the town of Caledonia, in the county of Livingston."

"An act to provide means for the ordinary repairs of the canals preparatory to opening them for the present year."

"An act to extend the time for the collection of county taxes in the city of Auburn."

"An act to amend the charter of the city of Syracuse so far as concerns the reorganization of the fire department of said city."

*Ordered*, That the Clerk deliver said bills to the Governor.

Mr. Skinner called from the table a resolution previously offered by him, in the words following:

*Resolved* (if the Senate concur), That a joint convention of the Senate and Assembly be held on Tuesday, the third day of April, instant, at 12 o'clock noon, in the Assembly Chamber, for the purpose of electing a State Superintendent of Public Instruction.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Leave of absence was granted to Mr. Langner.

Mr. Suydam offered for the consideration of the House a resolution, in the words following:

*Resolved*, That when this House adjourns to-day at 2 o'clock, it be to meet on Monday next, April 2, at 8 o'clock P. M.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The Senate returned the bill entitled "An act for the relief of the Kips Bay Methodist Episcopal Church," with a message informing that they had passed the same with the following amendments:

Strike out all of the preamble commencing "Whereas," etc.

Section 1, line 1, strike out, after the words "The certificate," the words "alluded to in the foregoing preamble" and insert the words "caused to be recorded by the Kips Bay Methodist Episcopal Church,

on the first day of March, 1854, in the office of the clerk of the city and county of New."

Section 2, add at the end of the section the words "so far as the same may be affected by any defect in said certificate."

Section 3, strike out, in lines 3 and 4, the words "satisfied and confirmed."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cowdin	Longyear	Ruggles
Baker	Davenport	Maher	Sager
S. Baldwin	Dillmeier	Marvin	Sanders
M. L. Baldwin	Dimond	Maynard	Santee
Barnes	Flecke	McFalls	Shanley
Benedict	Floyd-Jones	McGraw	Shannon
Berrigan	Gallagher	McGroarty	Sheldon
Billings	Gere	McKee	Skillman
Billington	J. G. Graham	Moller	Sliter
Bissell	Gulick	Moody	Smith
Bradley	Hamilton	Moore	Spicer
Braman	Hammond	Neilson	Stone
J. H. Brown	Healy	Niven	Suydam
Bulmer	Herrick	Noyes	Tabor
E. Case	Herbst	Orr	Taylor
T. A. Case	Hodges	Peck	Thistlethwaite
Childs	Hogeboom	Post	Valentine
Clapp	Humphrey	Potter	Webb
Clark	Keator	Rice	Welsh
Corbett	King	H. H. Rockwell	Wemple
Corsa	Langbein	Rooney	Winch
Coulter			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned the bill entitled "An act in relation to collectors and receivers of taxes," with a message informing that they had passed the same, with the following amendments:

Section 1, line 1, strike out the words "town and." Same line, strike out the word "ward," and the words "and ward." After the word "collector," insert the words "and receivers." Lines 6 and 7, strike out the words "or wards."

The amendments having been read,

Mr. Speaker then put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 60 }

Those who voted in the affirmative, were

Alvord	Davenport	Lyon	Sanders
Baker	Dillmeier	Maher	Santee
S. Baldwin	Dimond	Marvin	Shanley
M. L. Baldwin	Fish	Maynard	Shannon
Barnes	Floyd-Jones	McFalls	Sheldon
Billings	Gallagher	McGroarty	Skillman
Billington	Gere	McKee	Smith
Bissell	J. G. Graham	Moller	Spicer
Bradley	Hamilton	Moody	Stein
Braman	Hammond	Nachtmann	Stephenson
J. H. Brown	Hayes	Niven	Stone
Bulmer	Healy	Noyes	Tabor
E. Case	Hepburn	Orr	Taylor
G. M. Case	Herbst	Peek	Thistlethwaite
T. A. Case	Hodges	Potter	Valentine
Childs	Humphrey	Rice	Waddell
Corbett	Keator	H. H. Rockwell	Webb
Corsa	King	W. L. Rockwell	Williams
Coulter	Langbein	Ruggles	Winch
Cowdin	Longyear	Sager	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The privileges of the floor were granted to the Hons. Frederick A. Lyman and Wm. Burrigan.

Mr. Speaker presented the following communication :

*To the Honorable the Legislature of the State of New York :*

In view of an anticipated removal from the State, I hereby resign my office of Regent of the University of the State of New York.

SYRACUSE, March 26, 1877.

A. C. GEORGE.

Said communication was laid on the table.

Mr. Welsh, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows :

"An act for the reduction of the salaries and compensation of certain officers and clerks in the cities of this State."

Mr. Post moved that the bill entitled "An act in relation to the Superintendent of State Prisons, and for the more efficient and economical management of said prisons," do now have its third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.



{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dimond	McGraw	Shanley
Baker	Fay	McGroarty	Shannon
S. Baldwin	Fish	McKee	Sheldon
M. L. Baldwin	Flecke	Moller	Skillman
Barnes	Floyd-Jones	Moody	Skinner
Billings	Gallagher	Moore	Sliter
Billington	Gere	Nachtmann	Speaker
Bissell	J. G. Graham	Neilson	Spicer
Braman	Hamilton	Niven	Stein
J. H. Brown	Hammond	Noyes	Stephenson
J. S. Brown	Healy	Orr	Suydam
Bulmer	Herrick	Peck	Tabor
E. Case	Herbst	Piper	Taylor
G. M. Case	Hodges	Post	Thistlethwaite
T. A. Case	Humphrey	Potter	Tighe
Clapp	Keator	Proper	Valentine
Corbett	King	H. H. Rockwell	Webb
Corsa	Langbein	W. L. Rockwell	Weiant
Coulter	Longyear	Ruggles	Welsh
Crowley	Marvin	Sager	Wickes
Davenport	Maynard	Sanders	Williams
Dillmeier	McFalls	Santee	Winch

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Pursuant to 9th joint rule, Mr. Speaker announced the order of business, "third reading of bills."

The bill entitled "An act to release to the estate of Charles Doran, deceased, the right, title and interest of the people of the State of New York in and to certain real estate in the city of Poughkeepsie," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cowdin	Marvin	Ruggles
Baker	Crowley	Maynard	Sager
S. Baldwin	Davenport	McFalls	Sanders
M. L. Baldwin	Dillmeier	McGraw	Santee
Barnes	Dimond	McGroarty	Shanley
Benedict	Fay	McKee	Shannon
Berrigan	Fish	Moller	Skillman
Billings	Flecke	Moody	Skinner
Billington	Floyd-Jones	Moore	Smith
Bissell	Gilbert	Nachtmann	Speaker
Bowen	J. G. Graham	Neilson	Spicer
Bradley	Gulick	Niven	Stein

Braman	Hamilton	Noyes	Snydam
J. H. Brown	Hammond	Orr	Thistlethwaite
J. S. Brown	Herrick	Peck	Tighe
Bulmer	Herbet	Post	Valentine
E. Case	Hodges	Potter	Waddell
G. M. Case	Hogeboom	Purdy	Webb
T. A. Case	Keator	Rice	Weiant
Clapp	King	H. H. Rockwell	Wickes
Clark	Langbein	W. L. Rockwell	Williams
Corbett	Longyear	Rooney	Winch
Corsa			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the indictment and punishment of criminal offenses committed on railroads within the State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Cowdin	Keator	Rooney
Baker	Crowley	King	Sager
S. Baldwin	Davenport	Langbein	Sanders
M. L. Baldwin	Dillmeier	Lyon	Santee
Barnes	Dimond	Marvin	Shanley
Berrigan	Fay	Maynard	Shannon
Billings	Fish	McFalls	Sheldon
Billington	Flecke	McGroarty	Skinner
Bowen	Floyd-Jones	McKee	Sliter
Bradley	Gallagher	Moore	Speaker
Braman	Gilbert	Nachtmann	Spicer
J. H. Brown	J. G. Graham	Niven	Stein
J. S. Brown	Gulick	Noyes	Snydam
Bulmer	Hamilton	Orr	Tabor
E. Case	Hammond	Peck	Thistlethwaite
G. M. Case	Herbst	Piper	Weiant
T. A. Case	Hodges	Potter	Welsh
Clapp	Hogeboom	H. H. Rockwell	Wemple
Corbett	Humphrey	W. L. Rockwell	Winch
Corsa			

Those who voted in the negative, were

Ruggles                      Tighe

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act further to amend chapter 106 of the Laws of 1865, entitled 'An act to incorporate the New York Infant Asylum,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the

final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dimond	Marvin	Sager
Baker	Ecclesine	Maynard	Sanders
S. Baldwin	Fay	McFalls	Santee
M. L. Baldwin	Flecke	McGraw	Shannon
Barnes	Floyd-Jones	McGroarty	Skillman
Berrigan	Galvin	McKee	Skinner
Billings	Gere	Moller	Smith
Billington	Gilbert	Moody	Spicer
Bowen	J. G. Graham	Moore	Stephenson
Bradley	Gulick	Nachtmann	Suydam
Braman	Hamilton	Niven	Taylor
J. H. Brown	Hammond	Noyes	Thistlethwaite
J. S. Brown	Herrick	Orr	Tighe
Burns	Herbst	Post	Valentine
E. Case	Hodges	Potter	Webb
T. A. Case	Hogeboom	Proper	Weiant
Clark	Humphrey	Rice	Welsb
Cowdin	King	H. H. Rockwell	Wicks
Crowley	Langbein	W. L. Rockwell	Williams
Davenport	Longyear	Ruggles	Winch
Dillmeier			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The bill entitled "An act to repeal chapter 583 of the Laws of 1869, entitled 'An act relative to the improvement of Mamaroneck harbor, and for the promotion of the public health,' passed May 5, 1869," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davenport	McGraw	Sanders
Baker	Dillmeier	McGroarty	Santee
S. Baldwin	Floyd-Jones	McKee	Shannon
M. L. Baldwin	Galvin	Moller	Sheldon
Barnes	Gilbert	Moody	Skillman
Berrigan	Gulick	Moore	Skinner
Billings	Hammond	Morey	Smith
Billington	Herrick	Nachtmann	Speaker
Bissell	Herbst	Neilson	Spicer
Bradley	Hodges	Niven	Stein
J. H. Brown	Hogeboom	Noyes	Stephenson

Burns	Husted	Orr	Suydam
E. Case	Keator	Peck	Taylor
G. M. Case	King	Post	Thistlethwaite
T. A. Case	Langbein	Potter	Valentine
Clapp	Longyear	Rice	Waddell
Clark	Lyon	H. H. Rockwell	Webb
Corbett	Marvin	W. L. Rockwell	Weiant
Corsa	Maynard	Sager	Wickes
Cozans	McFalls		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 737 of the Laws of 1873," entitled 'An act in relation to the creation and formation of water-works companies in towns and villages of the State of New York,' passed June 12, 1873," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cozans	Langbein	Sanders
Baker	Crowley	Longyear	Shannon
S. Baldwin	Davenport	Lyon	Sheldon
M. L. Baldwin	Dillmeier	Maynard	Skillman
Barnes	Dimond	McFalls	Skinner
Benedict	Fish	McGraw	Speaker
Billings	Flecke	McGroarty	Spicer
Billington	Floyd-Jones	McKee	Stephenson
Bissell	Gallagher	Moller	Stone
Bradley	Galvin	Moody	Suydam
Braman	Gilbert	Moore	Tabor
Brick	Gulick	Morey	Taylor
Brill	Hammond	Nachtmann	Thistlethwaite
J. H. Brown	Hayes	Niven	Tighe
J. S. Brown	Hepburn	Orr	Valentine
Burns	Herrick	Peck	Waddell
T. A. Case	Hodges	Post	Webb
Clapp	Hogeboom	Potter	Weiant
Clark	Holahan	W. L. Rockwell	Wemple
Corbett	Keator	Ruggles	Wickes
Corsa	King	Sager	Winch

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the repaving and improvement of Fourth street, from Division avenue to Grand street, in the city of Brooklyn," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative,

a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 83 }  
} NOES 1 }

Those who voted in the affirmative, were

Alvord	Davenport	Lyon	Sager
Baker	Dillmeier	Marvin	Sanders
S. Baldwin	Dimond	McFalls	Shanley
M. L. Baldwin	Fish	McGraw	Shannon
Barnes	Flecke	McGroarty	Sheldon
Billings	Floyd-Jones	McKee	Skinner
Billington	Gallagher	Moller	Smith
Bissell	Galvin	Moody	Speaker
Bowen	Gere	Moore	Stephenson
Braman	Gilbert	Morey	Stone
Brick	Gulick	Neilson	Suydam
J. H. Brown	Hammond	Noyes	Tabor
J. S. Brown	Herrick	O'Hare	Taylor
E. Case	Herbst	Orr	Thistlethwaite
T. A. Case	Hodges	Peck	Tighe
Clapp	Holahan	Post	Waddell
Corbett	Keator	Potter	Webb
Corsa	King	Rice	Weiant
Cowdin	Lang	H. H. Rockwell	Wemple
Cozans	Langbein	W. L. Rockwell	Winch
Crowley	Longyear	Ruggles	

For the negative,

Bradley

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Childs moved that the bill entitled "An act to further amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,' passed April 26, 1871," the same being on the order of third reading, now have its third reading.

Mr. Alvord moved to amend by recommitting said bill to the committee of the whole.

Mr. Brill moved to amend that this House do now resolve itself into a committee of the whole for the purpose of considering said bill.

Mr. Ruggles moved that the further consideration of said bill be postponed until next Tuesday, and on that motion moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Ruggles, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

} AYES 60 }  
} NOES 41 }

Those who voted in the affirmative, were

Alvord	Davenport	Lyon	Santee
Baker	Dillmeier	Maynard	Shanley

S. Baldwin	Dimond	McFalls	Sheldon
Bradley	Filkin	McGraw	Skillman
Brill	Fish	McGroarty	Skinner
J. H. Brown	Floyd-Jones	Moody	Spicer
Bulmer	Galvin	Neilson	Stone
E. Case	Gilbert	Noyes	Suydam
G. M. Case	J. G. Graham	Peck	Taylor
T. A. Case	Hamilton	Potter	Thistlethwaite
Clapp	Hammond	Purdy	Tighe
Corbett	Herbst	Rice	Valentine
Corsa	Hodges	W. L. Rockwell	Weiant
Coulter	Hogeboom	Rooney	Williams
Cozans	Lang	Ruggles	Winch

Those who voted in the negative, were

Berrigan	Gallagher	Langbein	Shannon
Billings	Grady	Marvin	Smith
Bissell	Hayes	Moore	Spinola
Bowen	Healy	Morey	Stein
J. S. Brown	Hepburn	Nachtmann	Tabor
Childs	Holahan	Niven	Waddell
Clark	Humphrey	O'Hare	Webb
Cowdin	Husted	Orr	Welsh
Crowley	Keator	Sager	Wemple
Fay	King	Sanders	Wickes
Flecke			

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Brill, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Alvord, and it was determined in the affirmative.

Mr. Alvord moved that the order of business third reading of bills be laid on the table, for the purpose of taking up the orders of business introduction of bills, reports of standing committees and presentation of petitions.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Braman introduced a bill entitled "An act to authorize the president and trustees of the village of West Troy to raise, by tax upon the taxable property within said village, such sum or sums of money as are necessary to meet and pay the outstanding indebtedness of said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Bowen introduced a bill entitled "An act to amend an act entitled 'An act to change the time of payment of certain railroad bonds of the town of Plattsburgh, executed in aid of the New York and Canada Railroad Company, and to issue other bonds in place thereof,' passed May 13, 1876," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Suydam introduced a bill entitled "An act to provide for deficiencies in appropriations for the poor in the county of Kings, for raising and disbursing the moneys of said county, and to regulate the powers and duties of officials in incurring obligations against said county,"

which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Berrigan introduced a bill entitled "An act in relation to lottery schemes and tickets," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Rooney introduced a bill entitled "An act to regulate the sale of certain liquors known as malt or fermented liquors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. J. G. Graham introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the fire department of the village of Newburgh,' passed July 1, 1851," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Brick introduced a bill entitled "An act to legalize and confirm the official acts of the trustees of the village of New Brighton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Gere introduced a bill entitled "An act to repeal chapter 404 of the Laws of 1873, entitled 'An act for the relief of the inhabitants of the union free school district No. 2, in the town of Newark Valley, and the county of Tioga, and to restore union free school district No. 2, in the town of Newark Valley, as it existed before the passage of this act,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Wickes introduced a bill entitled "An act providing for the incorporation of the Tompkins County Patrons' Fire Relief Association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Hamilton introduced a bill entitled "An act supplementary to chapter 29 of the Laws of 1865, in relation to payment of bounties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. W. L. Baldwin introduced a bill entitled "An act in relation to county courts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Skillman introduced a bill entitled "An act to amend an act entitled 'An act to amend an act entitled An act to revise, amend and consolidate the laws in relation to the village of Norwich, in the county of Chenango, passed March 23, 1857,' and the acts amendatory thereto, passed April 3, 1867, passed April 26, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Flecke introduced a bill entitled "An act to compel persons using copartnership names to record the name of the individual members thereof with their place of residence," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. H. H. Rockwell introduced a bill entitled "An act to amend chapter 803 of the Laws of 1868, entitled 'An act to amend the acts to provide for the incorporation of religious societies, so far as the same relates to churches in connection with the Protestant Episcopal Church,' passed

May 9, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Suydam, Int. No. 328, entitled "An act to secure uniform taxation of real estate in the city of Brooklyn," reported adversely thereto, which report was agreed.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Skinner, Int. No. 680, entitled "An act to provide for the publication of proceedings of common councils and boards of trustees in cities and incorporated villages," reported adversely thereto, which report was agreed to.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Skinner, Int. No. 653, entitled "An act to amend section 30 of chapter 714 of the Laws of 1869, entitled 'An act to incorporate the city of Watertown,'" reported adversely thereto, which report was agreed to.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Stephenson, Int. No. 792, entitled "An act to amend chapter 863 of the Laws of 1873, entitled 'An act to amend the charter of the city of Brooklyn and the various amendments thereof,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was recommended the bill introduced by Mr. Mitchell, Int. No. 396, entitled "An act to provide for payment for the use and occupation of the rooms occupied by the several courts provided for by chapter 329 of the Laws of 1874, entitled 'An act to re-enact and amend an act entitled An act to provide for the annexation of the towns of Morrisania, West Farms and Kingsbridge, in the county of Westchester, to the city and county of New York,'" passed May 23, 1873," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Moller, Int. No. 899, entitled "An act in relation to officers or employes of any city government," reported in favor of the passage of the same, with amendments, the title amended so as to read "An act to prevent the appointment of any salaried officers or employe of any city government within this State, or of any clerk of any court, whether as a court clerk or in the capacity of an attorney at law, to act as assignee, receiver or referee in any cause, action or special proceeding whatever in the courts of this State during his term of office," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Gallagher, Int. No. 384, entitled "An act to amend section 16 of title 7 of an act entitled 'An act to revise the charter of the city of Buffalo,' passed April 28, 1870, in relation to the payment of orders drawn upon local funds," reported in favor of the the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Moody, Int. No. 897, entitled "An act to



amend an act entitled 'An act to incorporate the city of Binghamton, passed April 9, 1867,' and the several acts amending the same," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Cowdin, Int. No. 854, entitled "An act to facilitate the establishment of a botanical garden in the city of New York," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Gallagher, Int. No. 725, entitled "An act to amend titles 6 and 9 of an act entitled 'An act to revise the charter of the city of Buffalo,' passed April 28, 1870," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Gallagher, Int. No. 747, entitled "An act to amend an act to revise the charter of the city of Buffalo, passed April 20, 1870," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill entitled "An act to amend chapter 30 of the Laws of 1876, entitled 'An act to amend chapter 520 of the Laws of 1870, entitled An act to establish and maintain a police force in the city of Troy, and to increase the powers and duties of the police commissioners of said city,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

(Messrs. Mitchell, McGroarty and Tabor dissented.)

On motion of Mr. Fish, said bill was recommitted to the committee on affairs of cities, retaining its place on general orders.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill entitled "An act to vacate and cancel certain awards for closing part of Main street, in the city of Yonkers, and to authorize the common council of said city to close and discontinue certain parts of said street, without payment of awards heretofore made for the discontinuance of the public use thereof," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill entitled "An act relating to the payment of assessments for local improvements in the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill entitled "An act further to amend chapter 519 of the Laws of 1870, entitled 'An act to revise the charter of the city of Buffalo,'" reported adversely thereto, which report was agreed to.

Mr. Alvord moved to reconsider the vote by which said report was agreed to, and that that motion lie upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Fish, from the committee on affairs of cities, to which was refer-

red the Senate bill entitled "An act to review assessments in the city of Buffalo," reported adversely thereto.

On motion of Mr. Fish, said report was laid on the table.

Mr. Gilbert, from the committee on railroads, to which was recommit-  
ted the Senate bill entitled "An act to authorize the Utica and Black  
River Railroad Company to charge and collect a uniform rate of fare  
for passengers on the roads operated by said company," reported in favor  
of the passage of the same, with amendments, which report was agreed  
to, and said bill committed to the committee of the whole.

Mr. Bowen, from the committee on internal affairs, to which was  
referred the bill introduced by Mr. Brick, Int. No. 753, entitled "An  
act creating the office of fire marshal, and prescribing his powers and  
duties," reported adversely thereto, which report was agreed to.

Mr. Bowen, from the committee on internal affairs, to which was  
referred the bill introduced by Mr. Maynard, Int. No. 197, entitled "An  
act regulating the compensation of town officers, and in relation to town  
accounts," reported in favor of the passage of the same, with amendments,  
which report was agreed to, and said bill committed to the committee of  
the whole.

Mr. Bowen, from the committee on internal affairs, to which was  
referred the bill introduced by Mr. Bulmer, Int. No. 480, entitled "An  
act to enable the town of Newtown, in Queens county, to consolidate  
a portion of its bonded debt, and equalize the time of payment thereof,"  
reported in favor of the passage of the same, which report was agreed  
to, and said bill committed to the committee of the whole.

Mr. Bulmer moved that the committee of the whole be discharged  
from the further consideration of said bill, and that the same be ordered  
to a third reading.

Mr. Speaker put the question whether the House would agree to said  
motion, and it was determined in the affirmative.

Mr. Bowen, from the committee on internal affairs, to which was  
referred the bill introduced by Mr. Hodges, Int. No. 848, entitled "An  
act to provide means for employment of tramps, and to prevent tramp-  
ing," reported the same for the consideration of the House.

Mr. Bowen, from the committee on internal affairs, to which was  
referred the bill introduced by Mr. Sheldon, Int. No. 825, entitled "An  
act authorizing licenses to keep taverns without including a license to  
sell spirituous or intoxicating liquors," reported in favor of the passage  
of the same, which report was agreed to, and said bill committed to the  
committee of the whole.

Mr. Bowen, from the committee on internal affairs, to which was  
referred the Senate bill entitled "An act in relation to the compensation  
of overseer of the poor, town clerk and commissioners of highways, in  
the town of Saugerties, Ulster county," reported in favor of the passage  
of the same, which report was agreed to, and said bill committed to the  
committee of the whole.

Mr. Noyes, from the committee on affairs of villages, to which was  
referred the bill introduced by Mr. Brick, Int. No. 554, entitled "An  
act to amend the charter of the village of Edgewater," reported in favor  
of the passage of the same, with amendments, which report was agreed  
to, and said bill committed to the committee of the whole.

Mr. Hepburn, from the committee on charitable and religious societies,  
to which was referred the bill introduced by Mr. Moody, Int. No. 846,  
entitled "An act granting certain powers and authority to the trustees of

the Harpersville Cemetery Association, in the town of Colesville, Broome county, New York, and to the supervisor of said town," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hepburn, from the committee on charitable and religious societies to which was referred the Senate bill entitled "An act to repeal chapter 142 of the Laws of 1873, entitled 'An act to amend chapter 97 of the Laws of 1869, entitled An act to incorporate the trustees of the Minard fund for the benefit of widows and orphans of deceased preachers of the Genesee annual conference,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hepburn, from the committee on charitable and religious societies to which was referred the Senate bill entitled "An act to amend chapter 323 of the Laws of 1853, entitled 'An act to authorize religious corporations to change their names,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hepburn, from the committee on charitable and religious societies, to which was referred the Senate bill entitled "An act to amend chapter 176 of the Laws of 1876, entitled 'An act supplementary to chapter 60 of the Laws of 1813, entitled An act to provide for the incorporation of religious societies,' and the acts supplementary thereto," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Herbst, from the committee on State charitable institutions, to which was referred the bill introduced by Mr. Benedict, Int. No. 708, entitled "An act to authorize the Orange County Asylum for the Chronic Insane to receive patients or inmates from adjoining counties," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Clark, from the committee on petitions of aliens, to which was referred the bill introduced by Mr. J. S. Graham, Int. No. 281, entitled "An act to release the interest of the people of the State of New York in certain real estate in the city of Rochester to Thomas Knowles," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Clark, from the committee on petitions of aliens, to which was referred the bill introduced by Mr. Hepburn, Int. No. 824, entitled "An act to release the interest of the people of the State of New York in certain real estate in the town of Colton, St Lawrence county, to Samuel C. Curtis," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Clark, from the committee on petitions of aliens, to which was referred the Senate bill entitled "An act to release and convey to Mary Graham the interest of the people of the State of New York in certain real estate," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Clark, from the committee on petitions of aliens, to which was referred the Senate bill entitled "An act to release and convey to Caroline Kertz the interest of the people of the State of New York in certain real estate in the city of Brooklyn," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Langbein presented the report of the sub-committee of the whole ; which was laid on the table and ordered printed.

(See Doc. No. 96.)

Mr. Langbein offered for the consideration of the House a resolution, in the words following :

*Resolved*, That the Assembly bill entitled "An act relating to the redemption of lands sold under decrees of foreclosure in the counties of New York and Kings," be committed to the committee of the whole, and that the sub-committee of the whole be discharged from the consideration thereof.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Moller offered for the consideration of the House a resolution, in the words following :

*Resolved*, That the bill entitled "An act to grant to the city of Yonkers certain lands belonging to the people of the State of New York lying below the original line of high-water mark in the Nepperhan basin, in the city of Yonkers," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Baker offered for the consideration of the House a resolution, in the words following :

*Resolved* (if the Senate concur), That there be printed for the use of Canal Commissioners 1,000 copies of the annual report for the year ending September 30, 1876, to be bound in cloth, and also 1,000 copies for the use of the Legislature.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Suydam offered for the consideration of the House a resolution, in the words following :

*Resolved*, That the bill entitled "An act to authorize the board of education of the city of Brooklyn to establish a home or school of reform for truant children, and to transfer the truant home of the city of Brooklyn to the care and custody of the said board of education," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Alvord, at 12 o'clock and 55 minutes, the House adjourned.

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MONDAY, APRIL 2, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Battershall.

The journal of Friday, March 30, was read and approved.

Mr. Speaker presented a communication from the Secretary of State, transmitting a report of the State Board of Audit ; which was laid on the table and ordered printed.

(See Doc. No. 97.)

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act in relation to contract by married women," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Pursuant to 9th joint rule, Mr. Speaker announced the order of business, "third reading of bills."

Mr. Alvord moved that all orders of business lay upon the table except introduction of bills and general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Maynard introduced a bill entitled "An act to repeal chapter 738 of the Laws of 1865, entitled 'An act to amend the charter of the Charlotte Turnpike Company,' passed May 13, 1865," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Langbein introduced a bill entitled "An act to amend section 256 of the Code of Procedure relating to stenographers' minutes or notes of testimony," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a petition on the same subject, which was read and referred to the same committee.

Mr. Cowdin introduced a bill entitled "An act to incorporate the Society of Decoration of Art," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Husted introduced a bill entitled "An act to further amend an act entitled 'An act to incorporate the Masonic Hall Association in the Western district of the city of Brooklyn,' passed April 20, 1866, as amended by an act entitled 'An act to amend an act entitled 'An act to incorporate the Masonic Hall Association in the Western district of the city of Brooklyn,' passed April 20, 1866, passed April 28, 1870," which was read the first time, and by unanimous consent was also read the second time, when

On motion of Mr. Husted, and by unanimous consent, said bill was ordered printed and to a third reading.

Mr. Speaker announced the order of business, "general orders."

Mr. Bradley offered for the consideration of the House a resolution, in the words following:

*Resolved*, That bill No. 172, entitled "An act in relation to the government of the city of Brooklyn," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Spinola offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of Assembly bill No. 424, entitled "An act to provide for perfecting and perpetuating the right and title of the city of New York to property, water, water rights and privileges heretofore taken or used, or which may be hereafter taken or used by said city to increase the supply of pure and wholesome water for the use of said city,

and to provide for the payment and extinguishment of all claims or damages growing out of such taking or using," and that the same be recommitted, for amendment, to the committee on affairs of cities, with power to report complete.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Husted offered for the consideration of the House a resolution, in the words following:

*Resolved*, That Assembly bill No. 408, entitled "An act authorizing the taxation of stockholders of banks and the surplus funds of savings banks," be made a special order for Wednesday morning next, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

Mr. Husted raised the point of order that there was no quorum present.

Mr. Speaker directed the Clerk to call the roll and ascertain if a quorum was present, when the following members answered to their names:

Alvord	Corsa	Holahan	Sanders
Backenstose	Coulter	Husted	Santee
Baker	Cowdin	Lang	Sheldon
S. Baldwin	Cozans	Langbein	Skillman
M. L. Baldwin	Davenport	Maher	Skinner
Barnes	Fay	Maynard	Smith
Billington	Fish	McFalls	Speaker
Bissell	Floyd-Jones	McKee	Spinola
Bowen	Gallagher	Moller	Stein
Bradley	Gilbert	Moore	Stephenson
Braman	Gulick	O'Hare	Strahan
Brick	Hamilton	Post	Snydam
J. H. Brown	Hammond	Potter	Taylor
J. S. Brown	Healy	Purdy	Thistlethwaite
Bulmer	Hepburn	Rice	Tighe
Burns	Herrick	Rooney	Valentine
G. M. Case	Hodges	Ruggles	Webb
Clapp	Hogeboom		

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A quorum having answered to their names.

Mr. J. S. Brown offered for the consideration of the House a resolution, in the words following:

*Resolved*, That Assembly bill No. 381, entitled "An act to further amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" be made a special order for Thursday evening.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Stein offered for the consideration of the House a resolution, in the words following:

*Resolved*, That Assembly bill No. 419, entitled "An act authorizing the erection of a new Capitol," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

Mr. Smith offered for the consideration of the House a resolution, in the words following:

*Whereas*, A vacancy has occurred in the board of Regents of the University of the State of New York, by the resignation of Augustus C. George, of Syracuse; therefore, be it

*Resolved* (if the Senate concur), That the Legislature meet in joint session on Wednesday, the 11th day of April, instant, at 12 o'clock noon, for the purpose of electing a Regent of the University, in place of Augustus C. George, resigned.

Said resolutions being concurrent,

*Ordered*, That the same be laid on the table.

Mr. Fish offered for the consideration of the House a resolution, in the words following:

*Resolved*, That bill No. 200, entitled "An act in relation to the salaries of the officers of the city of Brooklyn," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

Mr. Brick offered for the consideration of the House a resolution, in the words following:

*Resolved*, That bill No. 333, entitled "An act establishing and regulating quarantine, and defining the qualifications and duties and powers of the health officer of the harbor and port of New York," be recommitted to the committee on commerce and navigation for further hearing, retaining its place on general orders.

Mr. Strahan moved to amend by adding at the end of said resolution the words "and said committee report said bill back to the House on or before Friday next."

Mr. Hayes moved to amend by striking out the words "Friday next" and insert in lieu thereof the words "Friday the 13th day of April."

Mr. Webb moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Hayes, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Strahan, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution, as amended, and it was determined in the affirmative.

Mr. Langbein called from the table the report of the sub-committee of the whole in favor of the passage of the bills entitled as follows:

Senate, G. O. 130, No. 50, "An act to authorize the trustees under the will of James Cunningham, to convey to the city of Brooklyn, certain lands and hereditaments at the foot of Noble street, in said city." [With an amendment.]

G. O. 107, No. 134, "An act authorizing the supervisors and justices of the peace of the town of Avon, in the county of Livingston, to convey to the Avon Cemetery Association certain lands situate in the village of Avon."

G. O. 344, No. 334, "An act in relation to the office of railroad commissioners in Ulster county."

G. O. 140, No. 155, "An act to release the interest of the people of the State of New York in certain real estate in the city of Troy, to Catharine Maginnis."

G. O. 141, No. 156, "An act to release to Mary Kinney the right, title and interest of the people of the State of New York, in and to certain real estate in the city of Utica."

G. O. 142, No. 157, "An act to release the interest of the people of the State of New York in certain real estate to Mary Jetton."

G. O. 143, No. 158, "An act to release the interest of the people of the State of New York in certain real estate in the city of Brooklyn, county of Kings, to Ellen Allman, widow of Otto Allman."

G. O. 218, No. 226, "An act to release the interest of the State in certain lands of which Michael Schmitts died seized, to Katharine Schmitts."

G. O. 311, No. 302, "An act to release the interest of the people of the State of New York in and to all moneys arising from the sale in partition of certain real estate premises, situate in the city of Buffalo, and to rents collected therefrom, to August Steinhoff, William Steinhoff and Philip Steinhoff."

Senate, G. O. 464, No. 146, "An act to release to Edward Kennedy and others, the right, title and interest of the people of the State of New York to certain real estate in the city of New York."

Senate, G. O. 465, No. 173, "An act to release to Margery Farren the right, title and interest of the people of the State of New York in and to certain real estate in the city of Brooklyn."

Senate, G. O. 466, No. 152, "An act to confirm the title of certain persons to real estate questioned by reason of alienage of former owners."

Senate, G. O. 144, No. 74, "An act to release to Mary Rolph the right, title and interest of the people of the State of New York in and to certain real estate in the town of Ridgeway, Orleans county."

Said report was agreed to, and said bills ordered to a third reading.

Leave of absence was granted to Messrs. Wickes and Nachtmann.

Mr. Coulter offered for the consideration of the House a resolution, in the words following:

*Resolved*, That bill No. 246, entitled "An act to amend chapter 617 of the Laws of 1873, entitled 'An act regulating the deposit of securities by plate-glass insurance companies,'" be considered in the next committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

Mr. Post moved to recommit the bill entitled "An act to amend section 31 of article 3, of title two of chapter 13 of part 1 of the Revised Statutes, in relation to the equalization of assessments by boards of supervisors," to the committee on general laws, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to regulate the manufacturing of gunpowder, nitro-glycerine, giant powder, gun-cotton and other explosives."

"An act to amend sections 6 and 29 of chapter 495 of the Laws of 1875, entitled 'An act relating to the court of arbitration of the Chamber of Commerce of the State of New York, and to provide for the expenses thereof.'"



"An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,' passed June 5, 1875."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Hammond, from said committee, reported progress on said first mentioned bill, and asked and obtained leave to sit again.

Mr. Hammond, from said committee, also reported progress on said second mentioned bill, and asked and obtained leave to sit again.

Mr. Alvord moved to discharge the committee of the whole from the further consideration of said bill and that the same be ordered to a third reading.

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the negative.

Mr. Husted moved to lay the motion of Mr. Alvord on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hammond, from said committee, also reported in favor of the passage of said third mentioned bill; which report was agreed to, and said bill ordered engrossed for a third reading.

A message from the Senate was received and read, requesting the concurrence of the Assembly to a resolution in the words following:

*Resolved* (if the Assembly concur), That a respectful message be sent to his Excellency the Governor requesting the return of Senate bill No. 38, entitled "An act to provide for the election and defining the powers and duties of a police justice in the town of Watervliet, in the county of Albany."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have passed the same.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act to provide for the construction, repair and improvement of docks, wharves, piers, slips and bulk-heads in the city of New York, and for the management and control of the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

The Senate returned the bill entitled as follows:

"An act to provide for the construction of fishways in the State dams across the Oswego, Oneida and Seneca rivers."

*Ordered*, That the Clerk deliver said bill to the Governor.

The Senate returned the bill entitled "An act to exempt the counties of Suffolk, Tioga, Onondaga, Saratoga, Ontario, Yates, Rensselaer, Erie, Genesee, Schenectady, Monroe, Livingston and Otsego from the provisions and operation of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,' passed April 29, 1875," with a message informing that they had passed the same, with the following amendments:

Section 1, line 1, after the word "Suffolk," insert the words "except the town of Islip." Line 2, after the word "Saratoga," insert the words "except the town of Saratoga Springs;" same line, strike out the word

"Erie" Line 3, after the word "Otsego," insert the words "Schoharie, Niagara and Orleans." Lines 9 and 10, strike out the words "passed April 29, 1875."

Amend the title so as to read "An act to exempt the counties of Suffolk (except the town of Islip), Tioga, Onondaga, Saratoga (except the town of Saratoga Springs), Ontario, Yates, Rensselaer, Genesee, Schenectady, Monroe, Livingston, Otsego, Schoharie, Niagara and Orleans from the provisions and operation of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties.'"

Mr. Hodges moved to lay the Senate amendments on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Lang, at 10 o'clock and 21 minutes, the House adjourned.

## TUESDAY, APRIL 3, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Upson.

The journal of yesterday was read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to a resolution in the words following:

*Whereas*, It has been reported by the proper officers both to the Congress and to the Legislature that a necessity has arisen for the determining of pier lines upon the Hudson river; and,

*Whereas*, It is of the highest importance to maintain the integrity of the Hudson river as a navigable water, and to preserve it from encroachments along its shores; therefore,

*Resolved*, (if the Assembly concur), That the Governor be requested to apply to the President of the United States to appoint three competent officers of the United States service, to be associated with the Secretary of State, the Attorney-General and the State Engineer and Surveyor of this State, to examine and decide upon exterior pier and bulk-head lines upon the Hudson river, from the State dam at Troy to the city of Hudson, and to report such lines with maps to the Legislature at its next session.

Said resolution being concurrent,

*Ordered*, That the same be laid on the table.

The Senate returned the bill entitled "An act to facilitate the construction of narrow gauge railroads, and to amend chapter 560 of the Laws of 1871, entitled 'An act to amend an act entitled An act to authorize the formation of railroad corporations and to regulate the same, passed April 2, 1850,' passed April 19, 1871," with a message informing that they had passed the same, with the following amendments:

Section 1, line 1, strike out the word "fifth" and insert the word "five." Same section, line 5, strike out the words "passed April 19, 1871."

Section 2, line 1, strike out the word "sixth" and insert the word "six." Same section, line 22, after the word "thereof," insert the words

"located or to be located in the county of Kings." Same section, line 19, after the word "nothing," insert the words "relating to fares."

Amend the title by striking out the words "passed April 19, 1871."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 77 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Filkin	Marvin	Sanders
Backenstose	Fish	Maynard	Santee
Baker	Flecke	McFalls	Shannon
S. Baldwin	Gallagher	McGraw	Sheldon
M. L. Baldwin	Galvin	McGroarty	Skillman
Barnes	Gilbert	McKee	Skinner
Bowen	J. S. Graham	Moller	Sliter
Bradley	Gulick	Moody	Smith
Braman	Hamilton	Moore	Speaker
J. H. Brown	Healy	Noyes	Spicer
J. S. Brown	Hepburn	O'Hare	Stein
E. Case	Herbst	Orr	Stephenson
Clapp	Hodges	Post	Stone
Clark	Hogeboom	Potter	Snydam
Corbett	Husted	Proper	Thistlethwaite
Coulter	Langbein	Purdy	Tighe
Cowdin	Langner	H. H. Rockwell	Valentine
Cozans	Longyear	W. L. Rockwell	Webb
Davenport	Maher	Ruggles	Winch
Fay			

For the negative,

Tabor

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned the bill entitled "An act making appropriations for the payment of the principal and the interest of the canal debt for the fiscal year commencing on the 1st day of October, 1877, and to provide for the payment of the principal and interest of the debt contracted under section 12 of article 7 of the Constitution," with a message informing that they had passed the same, with the following amendments:

SECTION 1. The following sums are hereby appropriated out of the revenues of the canals for the fiscal year commencing on the first day of October, one thousand eight hundred and seventy-seven:

"For the payment of the interest in coin on the loans made under section three of article seven of the Constitution, the sum of six hundred and twenty-five thousand dollars, or so much thereof as may be necessary.

"To provide for the sinking fund for the extinguishment of the principal of the loans made under section three of article seven of the Constitution, the sum of four hundred and fifty thousand dollars."

§ 2. The sum of one million and fifty thousand dollars, or so much

thereof as shall be necessary, is hereby appropriated out of the sinking fund, under section twelve and article seven of the Constitution, to pay, in coin, the principal and interest of the floating debt loan which will mature on the first day of December, one thousand eight hundred and seventy-seven.

§ 3. There shall be imposed for the fiscal year commencing on the first day of October, one thousand eight hundred and seventy-seven, a tax of fifteen thirty-seconds of one mill on each dollar of the valuation of real and personal property taxable in this State, to be assessed, raised and collected upon and by the annual assessments and collection of taxes for the fiscal year, in the manner prescribed by law to be paid by the county treasurers respectively, into the treasury of this State, to be there received, held and paid for the objects and purposes prescribed in the fourth section of this act, and for no other purpose.

§ 4. The whole amount of the tax levied and collected under the preceding section of this act, shall be transferred to the canal fund on the warrant of the Comptroller, and is hereby appropriated and shall be applied as follows:

"To increase the revenues of and supply the deficiencies in the sinking fund, under section three of article seven of the Constitution, so as to make the said fund sufficient to satisfy the claims of the creditors of the State on that fund for the fiscal year ending on the thirtieth of September, one thousand eight hundred and seventy-seven, the sum of six hundred thousand dollars or so much thereof as may be necessary for that object.

"To increase the revenues of and supply the deficiencies in aforesaid sinking fund, so as to make it sufficient to satisfy the claims of the creditors of the State on that fund, for the fiscal year commencing on the first day of October, one thousand eight hundred and seventy-seven, the sum of six hundred thousand dollars, or so much thereof as may be necessary for that object."

Amend the title so as to read "An act making appropriations for the payment of the principal and interest of the canal debt for the fiscal year commencing on the 1st day of October, 1877, and to provide means to pay the interest on the debt created under section 3 of article 7 of the Constitution, for the fiscal years commencing on the 1st day of October, 1878, and ending on the 30th day of September, 1878."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Fay	Maher	Shannon
Backenstose	Filkin	Marvin	Sheldon
Baker	Fish	Maynard	Skillman
S. Baldwin	Flecke	McFalls	Skinner
M. L. Baldwin	Floyd-Jones	McGraw	Sliter
Barnes	Gallagher	McGroarty	Smith
Billington	Galvin	McKee,	Speaker

Bissell	Gilbert	Moody	Stephenson
Bowen	J. S. Graham	Moore	Stone
Bradley	Gulick	Neilson	Strahan
Braman	Hamilton	Noyes	Suydam
Brill	Hammond	Orr	Tabor
J. H. Brown	Healy	Post	Taylor
J. S. Brown	Hepburn	Potter	Thistlethwaite
E. Case	Hodges	Proper	Tighe
Clapp	Hogeboom	Rice	Valentine
Clark	Holahan	H. H. Rockwell	Webb
Corbett	Husted	Ruggles	Weiant
Corsa	Langbein	Sanders	Welsh
Coulter	Langner	Santee	Wemple
Cowdin	Longyear	Shanley	Williams
Cozans	Lyon	Spicer	Winch
Davenport	Moller		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned the bill entitled "An act to incorporate the Rapid Hose Company, No. 1, of the city of Kingston, Ulster county, State of New York," with a message informing that they had passed the same, with the following amendments:

Section 1, line 14, after the words "and by," and insert the word "their."

Section 2, line 3, strike out the word "rest," and insert the word "vest."

Section 3, line 3, after the word "proper," insert the following: "not inconsistent with the charter of the city of Kingston, or the ordinances, rules and regulations prescribed by the common council of said city."

Section 1, line 2, change "Ditters" to "Dittus." Change "Maneary" to "Manary." Line 3, insert "W" between "Charles" and "Slater." Line 6, change "Wachmayer" to "Machmyer." Line 8, after "Leve-ridge," insert "Richard H. Randolph." Line 9, change "Halzh" to "Hetzel." Line 12, strike out "Gus Durn," and insert "George Dunn." Line 15, after the word "by," insert the word "that."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

. } AYES 79 }  
 . } NOES 00 }

Those who voted in the affirmative, were

Alvord	Coulter	Marvin	Santee
Backenstose	Cowdin	Maynard	Shanley
Baker	Crowley	McFalls	Shannon
S. Baldwin	Davenport	McGraw	Sheldon
M. L. Baldwin	Fay	McGroarty	Skinner
Barnes	Filkin	McKee	Sliter
Berrigan	Fish	Moller	Speaker
Billington	Floyd-Jones	Moody	Spicer
Bissell	Gilbert	Moore	Stephenson
Bowen	J. S. Graham	Neilson	Stone

Bradley	Gulick	Niven	Strahan
Braman	Hamilton	Noyes	Suydam
Brill	Hammond	Orr	Tabor
J. H. Brown	Healy	Post	Taylor
J. S. Brown	Hodges	Potter	Thistlethwaite
E. Case	Hogeboom	Rice	Tighe
Clapp	Holahan	H. H. Rockwell	Valentine
Clark	Langner	W. L. Rockwell	Williams
Corbett	Longyear	Ruggles	Winch
Corsa	Maher	Sanders	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

Pursuant to 9th joint rule, Mr. Speaker announced the order of business, "third reading of bills."

The bill entitled "An act to organize a fire department in the village of Andes, Delaware county," being announced for a third reading,

On motion of Mr. Maynard, and by unanimous consent, said bill was amended as follows:

Section 5, lines 3 and 4, strike out the words foreman and assistant foreman."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 76 {  
{ NOES 00 {

Those who voted in the affirmative, were

Alvord	Cozans	Maher	Shanley
Backenstose	Crowley	Maynard	Shannon
Baker	Davenport	McFalls	Skillman
S. Baldwin	Filkin	McGraw	Skinner
M. L. Baldwin	Fish	McGroarty	Spicer
Barnes	Floyd-Jones	Moller	Stephenson
Berrigan	Gallagher	Moody	Stone
Billington	Galvin	Moore	Strahan
Bissell	Gere	Neilson	Suydam
Bradley	J. S. Graham	Niven	Tabor
Braman	Gulick	Noyes	Taylor
J. H. Brown	Hamilton	Orr	Thistlethwaite
J. S. Brown	Hammond	Potter	Tighe
E. Case	Herbst	Proper	Webb
G. M. Case	Hodges	H. H. Rockwell	Weiant
Clark	Husted	W. L. Rockwell	Welsh
Corbett	Langbein	Ruggles	Wemple
Coulter	Langner	Sanders	Williams
Cowdin	Longyear	Santee	Winch

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Alvord, and by unanimous consent, the committee of the whole was discharged from the further consideration of the Senate bill entitled "An act to authorize the Utica and Black River Railroad

Company to charge and collect a uniform rate of fare, for passengers, on the roads operated by said company," and said bill ordered to a third reading.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 76 }  
{ NOES 4 }

Those who voted in the affirmative, were

Alvord	Cozans	Langbein	Sager
Backenstose	Crowley	Longyear	Sandera
S. Baldwin	Davenport	Marvin	Santee
M. L. Baldwin	Fay	Maynard	Shanley
Barnes	Fish	McFalls	Shannon
Bissell	Flecke	McGraw	Skillman
Bradley	Floyd-Jones	McGroarty	Smith
Braman	Gallagher	McKee	Speaker
Brick	Galvin	Moller	Spicer
J. H. Brown	Gere	Moody	Spinola
J. S. Brown	Gilbert	Niven	Stephenson
E. Case	Hamilton	Noyes	Tabor
G. M. Case	Hammond	O'Hare	Taylor
Clapp	Hepburn	Orr	Thistlethwaite
Clark	Herbst	Potter	Valentine
Corbett	Hodges	Rice	Weiant
Corsa	Holahan	H. H. Rockwell	Welsh
Coulter	Husted	W. L. Rockwell	Wemple
Cowdin	Lang	Rooney	Williams

Those who voted in the negative, were

J. S. Graham	Maher	Moore	Skinner
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*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The bill entitled "An act to establish a fire department in the second school district of the town of Glenville, in the county of Schenectady, and for the government and maintenance of the same," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Baker	Filkin	Maynard	Shanley
S. Baldwin	Fish	McFalls	Shannon
M. L. Baldwin	Floyd-Jones	McGraw	Skinner
Barnes	Gallagher	McGroarty	Smith
Bissell	Galvin	McKee	Spicer
Bowen	Gere	Mitchell	Stephenson

Bradley	J. S. Graham	Moody	Stone
Braman	Hamilton	Moore	Suydam
Brick	Hammond	Niven	Tabor
J. H. Brown	Hayes	O'Hare	Taylor
J. S. Brown	Hepburn	Orr	Thistlethwaite
E. Case	Herbst	Potter	Tighe
G. M. Case	Hodges	Proper	Valentine
Clapp	Hogeboom	Rice	Webb
Corbett	Holahan	H. H. Rockwell	Weiant
Corsa	Husted	W. L. Rockwell	Welsh
Coulter	Lang	Ruggles	Wemple
Cowdin	Langbein	Sager	Wickes
Cozans	Longyear	Sanders	Williams
Crowley	Lyon	Santee	Winch
Davenport	Maher		

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Hepburn, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Skinner, Int. No. 898, entitled "An act to authorize the trustees of the First Baptist Church of Hoosick Falls, New York, to remove the dead from their burying ground to their cemetery, and to authorize them to sell their burying ground," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

The bill entitled "An act for the relief of school districts wishing to contract with boards of education of cities, to educate their children in city schools," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Coulter	Langbein	Santee
Backenstose	Cowdin	Longyear	Shanley
Baker	Crowley	Lyon	Shannon
S. Baldwin	Davenport	Maher	Skillman
M. L. Baldwin	Fish	Maynard	Skinner
Barnes	Floyd-Jones	McFalls	Smith
Benedict	Gallagher	McGraw	Spicer
Berrigan	Galvin	McGroarty	Stephenson
Bissell	Gere	McKee	Stone
Bowen	J. G. Graham	Moller	Suydam
Bradley	Gulick	Moore	Tabor
Braman	Hammond	Niven	Taylor
Brick	Hayes	Orr	Thistlethwaite
J. H. Brown	Hepburn	Potter	Tighe
J. S. Brown	Herbst	Rice	Valentine
E. Case	Hodges	H. H. Rockwell	Webb
G. M. Case	Hogeboom	W. L. Rockwell	Weiant



Childs	Holahan	Rooney	Wickes
Clapp	Humphrey	Ruggles	Williams
Clark	Lang	Sanders	Winch
Corsa			

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the village of Sag Harbor, Suffolk county, to borrow money for purchasing a steam fire apparatus, with the necessary appurtenances therefor, and to secure a supply of water therefor," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Coulter	Maher	Skillman
Backenstose	Cowdin	Marvin	Skinner
Baker	Crowley	Maynard	Smith
S. Baldwin	Davenport	McFalls	Speaker
M. L. Baldwin	Fish	McGraw	Spicer
Berrigan	Flecke	McGroarty	Stein
Billington	Floyd-Jones	McKee	Stephenson
Bowen	Gallagher	Moody	Stone
Bradley	Galvin	Moore	Strahan
Braman	Gere	Niven	Snydam
Brick	J. S. Graham	O'Hare	Tabor
Brill	Gulick	Orr	Taylor
J. H. Brown	Herrick	Rice	Thistlethwaite
J. S. Brown	Herbst	H. H. Rockwell	Tighe
E. Case	Hodges	W. L. Rockwell	Valentine
Childs	Hogeboom	Ruggles	Webb
Clapp	Lang	Sanders	Weiant
Clark	Langbein	Shanley	Wemple
Corbett	Langner	Shannon	Winch
Corsa	Longyear		

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. McKee, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill entitled "An act to enable Clinton Liberal Institute to change its location," and said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Corsa	Langbein	Sanders
Backenstose	Cowdin	Langner	Santee

Baker	Crowley	Longyear	Shanley
S. Baldwin	Davenport	Lyon	Shannon
M. L. Baldwin	Fay	Maher	Sheldon
Barnes	Fish	McFalls	Skillman
Berrigan	Floyd-Jones	McKee	Skinner
Billington	Gallagher	Moller	Sliter
Bissell	Galvin	Moody	Spicer
Bowen	Gere	Neilson	Stein
Bradley	Gilbert	Niven	Stone
Braman	J. S. Graham	Noyes	Suydam
Brick	Gulick	O'Hare	Tabor
Brill	Hammond	Orr	Taylor
J. H. Brown	Herrick	Potter	Thistlethwaite
E. Case	Herbst	Rice	Webb
G. M. Case	Hodges	H. H. Rockwell	Weiant
Childs	Holahan	W. L. Rockwell	Welsh
Clapp	Husted	Rooney	Wemple
Clark	Keator	Ruggles	Winch
Corbett	Lang		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Brill moved to take from the table the Senate amendments to bill No. 365, entitled "An act to exempt the counties of Suffolk, Livingston and Otsego from the provisions and operation of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,' passed April 29, 1875."

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Brill moved to concur in the Senate amendments in the words following:

"The Senate returned the bill entitled 'An act to exempt the counties of Suffolk, Tioga, Onondaga, Saratoga, Ontario, Yates, Rensselaer, Erie, Genesee, Schenectady, Monroe, Livingston and Otsego, from the provisions and operation of chapter 180 of the Laws of 1875, entitled An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties, passed April 29, 1875,' with a message informing that they had passed the same, with the following amendments:

"Section 1, line 1, after the word 'Suffolk,' insert the words 'except the town of Islip.' Line 2, after the word 'Saratoga,' insert the words 'except the town of Saratoga Springs.' Same line, strike out the word 'Erie.' Line 3, after the word 'Otsego,' insert the words 'Schoharie, Niagara and Orleans." Lines 9 and 10, strike out 'passed April 29, 1875.'

"Amend the title so as to read as follows: 'An act to exempt the counties of Suffolk (except the town of Islip), Tioga, Onondaga, Saratoga (except the town of Saratoga Springs), Ontario, Yates, Rensselaer, Genesee, Schenectady, Monroe, Livingston, Otsego, Schoharie, Niagara and Orleans, from the provisions and operation of chapter 180 of the Laws of 1875, entitled An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties.'"

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the

same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 8 }

Those who voted in the affirmative, were

Alvord	Corbett	Holahan	Ruggles
Backenstose	Corsa	Husted	Sanders
Baker	Coulter	Lang	Santee
S. Baldwin	Cowdin	Langner	Shanley
Barnes	Cozans	Lyon	Shannon
Berrigan	Crowley	Maher	Sheldon
Billington	Davenport	Marvin	Skinner
Bissell	Fay	Maynard	Sliter
Bowen	Flecke	McFalls	Spicer
Bradley	Floyd-Jones	McGraw	Stein
Braman	Gallagher	McGroarty	Stephenson
Brick	Galvin	Moller	Stone
Brill	Gere	Moody	Strahan
J. H. Brown	Gilbert	Niven	Suydam
J. S. Brown	J. S. Graham	O'Hare	Tabor
Bulmer	Gulick	Orr	Thistlethwaite
E. Case	Hamilton	Potter	Tighe
G. M. Case	Hammond	Rice	Valentine
Childs	Hepburn	H. H. Rockwell	Webb
Clapp	Herbst	W. L. Rockwell	Winch
Clark	Hodges		

Those who voted in the negative, were

Fish	Moore	Rooney	Taylor
Hogeboom	Proper	Skillinan	Welsh

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned the bill entitled "An act making appropriations for the support of government," with a message informing that they had agreed to the report of the committee of conference thereon, in the words following:

"*To the Legislature:*

"Your committee of conference, to which was referred the matters of difference still remaining between the two houses upon the bill entitled 'An act making appropriations for the support of government,' beg leave respectfully to report:

"That they met and have duly considered such matters of difference, and have agreed to recommend that the two houses shall adopt the following in lieu thereof. (Reference being made to engrossed bill):

"Page 10, line 28, strike out the word 'twenty' and insert the word 'fifteen.'

"Add at the end of line 29 the words 'Hereafter the compensation to sheriffs for conveying one convict to a State prison or penitentiary, from the county prison, for each mile actually traveled, twenty cents; for conveying two convicts, for each mile so traveled, thirty-five cents; for conveying three convicts, for each mile so traveled, forty cents; and for

Conveying four or more convicts, for each mile so traveled, twelve cents each, with one dollar per day for the maintenance of each convict while on the way to a State prison or penitentiary, but not exceeding one dollar for every thirty miles of travel in full of all charges and expenses in the premises.

"All of which is respectfully submitted.

"HAMILTON HARRIS,

"B. P. CARPENTER,

"J. W. GERARD,

"Senate Committee.

"LUKE F. COZANS,

"C. L. LYON,

"J. C. JULIUS LANGBEIN,

"ROBERT H. STRAHAN,

"RICHARD MARVIN,

"ALBANY, March 28, 1877."

Assembly Committee."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 99 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Cozans	Lyon	Shannon
Backenstose	Crowley	Maher	Sheldon
Baker	Davenport	Marvin	Skillman
S. Baldwin	Fay	Maynard	Skinner
M. L. Baldwin	Fish	McFalls	Sliter
Barnes	Flecke	McGraw	Smith
Berrigan	Floyd-Jones	McGroarty	Speaker
Billington	Gallagher	McKee	Spicer
Bowen	Galvin	Mitchell	Spinola
Bradley	Gilbert	Moller	Stein
Braman	Gulick	Moody	Stephenson
Brick	Hamilton	Neilson	Stone
Brill	Hammond	O'Hare	Strahan
J. H. Brown	Hayes	Orr	Suydam
J. S. Brown	Healy	Potter	Tabor
Bulmer	Hepburn	Proper	Taylor
E. Case	Herbst	Purdy	Thistlethwaite
G. M. Case	Hodges	Rice	Tighe
Childs	Hogeboom	H. H. Rockwell	Valentine
Clapp	Holahan	W. L. Rockwell	Webb
Clark	Husted	Rooney	Weiant
Corbett	Lang	Ruggles	Wemple
Corsa	Langbein	Sanders	Williams
Coulter	Langner	Santee	Winch
Cowdin	Longyear	Shanley	

For the negative,

Moore

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of agreement to the report of the committee of conference thereon.

A message from the Senate was received and read, informing of concurrence in the passage of the resolution in the words following:

*Whereas*, Under chapter 176 of the Laws of 1859, the accounts of the veteran militia of this State in the service of the United States during the war of 1812, were adjudicated; and,

*Whereas*, There are still remaining unpaid a large number of certificates, representing said accounts, which are justly due and payable to this patriotic band, or their legal representatives; and,

*Whereas*, It is claimed that the State is not legally bound to advance any more money to pay said certificates; therefore,

*Resolved* (if the Senate concur), That the Adjutant-General of this State be respectfully requested to urge upon the general government its moral and equitable obligation to place in the treasury of this State, sufficient funds to pay said outstanding certificates, as well as the amount advanced by this State in payment of a part of said certificates, and the amount disbursed by this State in adjudicating said accounts.

Mr. Speaker presented a communication from the comptroller of the city of New York relative to amounts recovered from the ring suits, in response to the resolution of the Assembly, March 13, 1877; which was laid on the table and ordered printed.

(See Doc. No. 99.)

A message from the Senate was received and read, informing of concurrence in the passage of the resolution in the words following:

*Resolved* (if the Senate concur), That a joint convention of the Senate and Assembly be held on Tuesday, the third day of April, instant, at 12 o'clock noon, in the Assembly Chamber, for the purpose of electing a State Superintendent of Public Instruction.

Mr. Speaker presented a message from his Excellency the Governor in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }  
ALBANY, April 3, 1877. }

*To the Legislature:*

I have the honor to transmit herewith a communication from the Hon. A. T. Goshorn, Director General of the United States Centennial Commission.

L. ROBINSON.

Which was laid on the table and ordered printed.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act to amend chapter 448 of the Laws of 1876, entitled 'An act relating to courts, officers of justice, and civil proceedings,' and to provide for the publication of the act as amended," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Childs moved that the committee of the whole be discharged from the further consideration of Senate bill entitled "An act to empower the board of education of the educational district of Seneca Falls to appoint an assessor for such district," and that the same do now have its third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the

final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cozans	Lyon	Shannon
Backenstose	Crowley	Maher	Skillman
Baker	Davenport	Maynard	Skinner
S. Baldwin	Fay	McFalls	Smith
M. L. Baldwin	Filkin	McGraw	Speaker
Barnes	Fish	McGroarty	Spicer
Billington	Flecke	McKee	Stein
Bowen	Floyd-Jones	Moller	Stephenson
Bradley	Gallagher	Moody	Stone
Braman	Galvin	Moore	Strahan
Brick	Gere	Noyes	Suydam
J. H. Brown	Gulick	Orr	Tabor
J. S. Brown	Hammond	Potter	Taylor
Bulmer	Hepburn	Purdy	Thistlethwaite
G. M. Case	Herbst	Rice	Tighe
Childs	Hodges	H. H. Rockwell	Valentine
Clapp	Husted	W. L. Rockwell	Webb
Clark	Lang	Rooney	Welsh
Corbett	Langbein	Ruggles	Wemple
Corsa	Langner	Sanders	Winch
Coulter	Longyear	Shanley	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

Mr. Sanders offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the committee of the whole be discharged from the consideration of the bill No. 240, entitled "An act to amend an act to amend and consolidate the several acts relative to the city of Schenectady, passed April 21, 1862, and the acts amendatory thereof," and that the same do now have its third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Said bill being announced for a third reading,

On motion of Mr. Sanders, and by unanimous consent, said bill was amended as follows: Section 1, line 1, strike out the word "thirteenth" and insert the word "fifteen." Strike out "§ 13" and insert "§ 5."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cowdin	Husted	Ruggles
Backenstose	Cozans	Lang	Sanders
Baker	Crowley	Langbein	Santee
S. Baldwin	Davenport	Langner	Shanley
M. L. Baldwin	Fish	Longyear	Skillman
Barnes	Flecke	Maher	Speaker
Benedict	Floyd-Jones	Marvin	Spicer
Bissell	Gallagher	Maynard	Stein
Bowen	Galvin	McFalls	Stone
Bradley	Gere	McGroarty	Suydam
Brick	Gilbert	McKee	Taylor
J. H. Brown	J. S. Graham	Moller	Thistlethwaite
J. S. Brown	Hamilton	Moody	Tighe
E. Case	Hammond	Moore	Valentine
G. M. Case	Hepburn	Orr	Webb
Clapp	Herrick	Potter	Weiant
Clark	Herbst	Purdy	Welsh
Corbett	Hodges	Rice	Wemple
Corsa	Hogeboom	H. H. Rockwell	Winch
Coulter	Holahan	W. L. Rockwell	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The hour of 12 o'clock having arrived, Mr. Speaker announced, pursuant to law and a joint resolution, the two Houses of the Legislature would meet in joint convention, for the purpose of electing a Superintendent of Public Instruction in place of Neil Gilmour.

On motion of Mr. Gilbert,

*Resolved*, That a committee of two be appointed to inform the honorable the Senate, that the Assembly is ready to meet that body in joint convention, for the purpose of electing a Superintendent of Public Instruction.

Mr. Speaker appointed as such committee, Messrs. Gilbert and Purdy.

Mr. Gilbert, from the committee appointed to wait upon the Senate, reported that they had performed that duty.

Whereupon, the Senate appeared in the Assembly Chamber, and the President of the Senate took the chair, and announced that the Senate and Assembly were in joint convention, for the purpose of electing a Superintendent of Public Instruction in place of Neil Gilmour.

On motion of Mr. Prince, Messrs. Prince and Noyes were appointed tellers.

On motion of Mr. Gilbert, Messrs. Starbuck and Bradley were appointed additional tellers.

The two Houses then proceeded in joint convention to the election of a Superintendent of Public Instruction.

The tellers reported the whole number of votes cast, 134, of which Neil Gilmour received 80; Abram B. Weaver, 45; Thomas S. Mount, 4; James O. Putnam, 1; Conrad Kuhn, 1; Henry Ward Beecher, 1; Henry E. Lynch, 1; Hosea B. Perkins, 1.

The President thereupon declared that Neil Gilmour having received

a majority of the votes cast was duly elected State Superintendent of Public Instruction for the term of three years from this date.

The members of the Senate having retired, Mr. Speaker announced that the Senate and Assembly having been in joint convention, Neil Gilmour was declared by the President of the Senate as president of said convention, duly elected as Superintendent of Public Instruction for the term of three years from this date.

The bill entitled "An act to release to Miles Perry and his legal representatives the title and interest of the people of the State of New York in certain real estate in the town of Riga and county of Monroe," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 93 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cozans	King	W. L. Rockwell
Backenstose.	Davenport	Langbein	Ruggles
Baker	Fay	Langner	Sanders
M. L. Baldwin	Filkin	Longyear	Santee
Barnes	Fish	Lyon	Shanley
Berrigan	Flecke	Maher	Shannon
Billington	Floyd-Jones	Marvin	Skillman
Bissell	Gallagher	Maynard	Skinner
Bowen	Galvin	McFalls	Smith
Bradley	Gilbert	McGraw	Speaker
Braman	J. S. Graham	McGroarty	Spicer
Brick	Gulick	McKee	Spinola
Brill	Hamilton	Mitchell	Stein
J. H. Brown	Hammond	Moody	Suydam
J. S. Brown	Hayes	Moore	Taylor
Bulmer	Healy	Neilson	Thistlethwaite
Burns	Hepburn	Noyes	Valentine
E. Case	Herrick	O'Hare	Webb
G. M. Case	Herbst	Orr	Weiant
Clapp	Hodges	Post	Welsh
Clark	Hogeboom	Potter	Wemple
Corbett	Holahan	Proper	Williams
Corsa	Husted	H. H. Rockwell	Winch
Cowdin			

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 410 of the Laws of 1874, entitled 'An act to authorize towns and villages to provide a sinking fund for the payment of their bonded indebtedness,' so far as the same relates to the county of Chautauqua," being announced for a third reading,

On motion of Mr. Williams, and by unanimous consent, said bill was amended as follows: Section 1, line 15, after the word "deposited," insert the words "after safe keeping." Line 17, after the word "applied," insert the words "by the said supervisor or the said president of the board of trustees."



Said bill, as amended was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Coulter	Lang	H. H. Rockwell
Backenstose	Cowdin	Langbein	W. L. Rockwell
M. L. Baldwin	Cozans	Langner	Ruggles
Barnes	Davenport	Longyear	Sanders
Benedict	Filkin	Maher	Santee
Berrigan	Flecke	Marvin	Shanley
Billington	Floyd-Jones	Maynard	Shannon
Bradley	Gallagher	McFalls	Sheldon
Braman	Galvin	McGraw	Skillman
Brick	Gere	McGroarty	Skinner
Brill	J. S. Graham	McKee	Spicer
J. H. Brown	Gulick	Mitchell	Suydam
Bulmer	Hammond	Moody	Tabor
Burns	Hepburn	Moore	Taylor
E. Case	Herrick	Noyes	Valentine
G. M. Case	Herbat	O'Hare	Webb
Clapp	Hodges	Peck	Wemple
Clark	Hogeboom	Post	Williams
Corbett	Holahan	Potter	Winch
Corssa	Husted	Proper	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to establish a local court of civil jurisdiction in the city of Rochester, to be called the Municipal Court of the city of Rochester, and to amend the charter of said city,' passed May 2, 1876," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Coulter	Langner	Shanley
Backenstose	Cozans	Longyear	Shannon
Baker	Crowley	Maher	Skillman
M. L. Baldwin	Davenport	McFalls	Skinner
Barnes	Fish	McGraw	Speaker
Bissell	Flecke	McGroarty	Spicer
Bowen	Floyd-Jones	McKee	Stein
Bradley	Galvin	Moody	Stephenson
Braman	Gere	Moore	Stone

Brick	Gilbert	Noyes	Suydam
Brill	J. S. Graham	Orr	Tabor
J. H. Brown	Gulick	Post	Taylor
J. S. Brown	Hammond	Potter	Tighe
Bulmer	Hepburn	Proper	Valentine
Burns	Herrick	Purdy	Webb
E. Case	Herbst	Rice	Weiant
G. M. Case	Hodges	H. H. Rockwell	Welsh
Clapp	Hogeboom	W. L. Rockwell	Wemple
Clark	Holahan	Ruggles	Williams
Corbett	Husted	Sanders	Winch
Corsa	Langbein	Santee	

Those who voted in the negative, were

Sheldon                      Spinola

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Senate was received and read, requesting the concurrence of the Assembly to a resolution in the words following :

*Resolved*, That a respectful message be sent to the Assembly requesting the return to the Senate of the bill entitled "An act to exempt the counties of Suffolk, Tioga, Onondaga, Saratoga, Ontario, Yates, Rensselaer, Genesee, Schenectady, Monroe, Livingston and Otsego, from the provisions and operation of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties.'"

Mr. Husted moved to reconsider the vote by which the Senate amendments were concurred in.

Mr. Speaker put the question whether the House would agree to said motion to reconsider, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 1 }

Those who voted in the affirmative, were

Backenstose	Filkin	Langbein	Ruggles
Baker	Fish	McFalls	Shannon
M. L. Baldwin	Flecke	McGraw	Skillman
Barnes	Floyd-Jones	McGroarty	Skinner
Billington	Gallagher	McKee	Smith
Bissell	Galvin	Mitchell	Speaker
Bradley	Gere	Moody	Spicer
Braman	Gilbert	Moore	Spinola
Brick	J. S. Graham	Niven	Stephenson
Brill	Gulick	Noyes	Stone
J. H. Brown	Hammond	O'Hare	Strahan
Bulmer	Hepburn	Orr	Suydam
E. Case	Hodges	Post	Tabor
Childs	Hogeboom	Potter	Taylor
Clark	Holahan	Proper	Tighe
Corbett	Husted	Rice	Valentine
Corsa	Lang	H. H. Rockwell	Weiant

Coulter  
Cowdin  
Cozans  
Davenport

Langner  
Longyear  
Maher

Sanders  
Santee  
Shanley

Welsh  
Williams  
Winch

For the negative,

J. S. Brown

Mr. Husted moved that the request of the Senate be complied with, and said bill be returned to the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act to create a police pension fund for disabled and retired policemen in the city of Brooklyn," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 {  
{ NOES 00 {

Those who voted in the affirmative, were

Alvord	Coulter	McFalls	Skinner
Backenstose	Cowdin	McGraw	Smith
Baker	Fish	McGroarty	Speaker
S. Baldwin	Floyd-Jones	McKee	Spicer
M. L. Baldwin	Gallagher	Moody	Stein
Barnes	Galvin	Moore	Stephenson
Bissell	Gilbert	Niven	Stone
Bradley	J. S. Graham	Noyes	Suydam
Braman	Gulick	Orr	Tabor
Brick	Hammond	Post	Taylor
Brill	Hepburn	Potter	Thistlethwaite
J. H. Brown	Herbst	Rice	Tighe
J. S. Brown	Hodges	H. H. Rockwell	Valentine
Bulmer	Hogeboom	W. L. Rockwell	Webb
E. Case	Lang	Ruggles	Weiant
G. M. Case	Langbein	Sanders	Welsh
Clapp	Longyear	Santee	Wemple
Clark	Lyon	Shannon	Williams
Corbett	Marvin	Skillman	Winch
Corsa			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Bissell introduced a bill entitled "An act to authorize the common council of the city of Lockport to raise by tax and disburse money in finishing Washington hose carriage house in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Skinner called from the table the report of the committee on public printing in the words following:

*Resolved* (if the Senate concur), That there be printed as follows: One thousand extra copies of the annual report of the Trustees of the State Library, for the use of said trustees, to be bound in paper covers.

One thousand extra copies of the report of the State Engineer and Surveyor on Canals, for the use of that officer, five hundred copies to be bound in cloth, and five hundred in paper.

Two thousand five hundred extra copies of the fifty-eighth annual report of the New York Institution for the Instruction of the Deaf and Dumb, for the officers of said institution, without lithographic plates, to be bound in paper.

Two thousand five hundred extra copies of the twenty-third annual report of the Superintendent of Public Instruction, for distribution by that officer, to be bound in cloth.

One thousand extra copies of the second annual report of the Central New York Institution for Deaf-Mutes, for the use of said institution.

One thousand extra copies of the sixth annual report of the Le Couteulx St. Mary's Institution for the Improved Instruction of Deaf-Mutes, for the use of said institution.

Five hundred extra copies of the tenth annual report of the New York Institution for the Improved Instruction of Deaf Mutes, for the use of said institution, to be bound in paper.

Twenty-four hundred copies, bound in cloth, of the report of the State Engineer and Surveyor on Railroads, for the year ending September 30, 1876; also, ten copies of said report for each Senator, Member, officer and reporter of the Senate and Assembly, the whole expense thereof to be refunded to the treasury of the State by an equitable assessment by the Comptroller, on the several railroad companies of this State.

Thirty-five hundred copies of the annual report of the Superintendent of the Insurance Department for the year ending December 31, 1876, bound in cloth, as follows: Fifteen hundred copies of the fire and marine report, and two thousand copies of the life report, bound separately; also, ten copies of each report for each Senator, Member, officer and reporter of the Senate and Assembly, the whole expense thereof to be refunded to the treasury of the State, by an equitable assessment by the Comptroller, on the several insurance companies of this State.

Also, that the Assembly concur in the adoption of the resolutions of the Senate to print as follows:

Twenty-five hundred extra copies of the report of the commission to devise a plan for the government of cities in the State of New York, to be bound in paper.

Five hundred extra copies of the annual report of the Treasurer of the State of New York for the use of that officer, to be bound in paper.

Two thousand extra copies of the twenty-eighth annual report of the Managers of the Western House of Refuge for Juvenile Delinquents for the use of the managers, the same to be furnished without accompanying lithographic plates, and to be bound in paper.

Fifteen hundred extra copies of the tenth annual report of the State Board of Charities for the use of the board, five hundred copies to be bound in muslin and one thousand copies in paper covers, to be furnished without accompanying lithographic plates.

One thousand extra copies of the annual report of the Board of Managers of the State Reformatory at Elmira, for the use of the managers of that institution, to be bound in paper.

One thousand extra copies of the eighth annual report of the New York State Blind Asylum at Batavia for the use of the officers thereof, to be bound in paper.

One thousand extra copies of the annual report of the Commissioners of Fisheries of the State of New York, for the use of said commissioners, to be bound in paper.

Also, that the Assembly concur in the adoption of the resolutions of the Senate, amended so as to read as follows :

One thousand extra copies of the eighth annual report of the Willard Asylum for the use of the asylum, to be bound in paper.

Five hundred extra copies of the annual report of the Commissioners of Quarantine for the use of the board, to be printed without maps or plates and to be bound in paper.

Two thousand extra copies of the annual report of the Board of Managers of the New York State Lunatic Asylum at Utica, for the use of the managers thereof, and without lithographic plates and to be bound in paper.

Provided, in each case, that the printing of the extra documents named above shall not exceed ten cents per page per one hundred copies.

*Resolved* (if the Assembly concur), That 5,000 extra copies of the State Assessors' report be printed for distribution among the supervisors and assessors of the various towns, cities and villages of the State; said copies shall be distributed by the Secretary of State, so that each supervisor and assessor aforesaid shall receive one copy of said report.

*Resolved* (if the Assembly concur), That 2,000 extra copies be printed for the use of the Legislature and 1,000 extra copies for the use of the State Assessors.

Mr. Bradley moved to amend the report of the committee relative to fisheries, by inserting after the word "commissioners" the words "and 1,000 copies for the use of the Legislature."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Moller moved to amend by striking out all the report except so much thereof as relates to the printing of "2,400 copies of the report of the State Engineer and Surveyor on railroads;" also, "3,500 of the annual report of the Superintendent of Insurance;" also, "1,500 of the fire and marine report;" also, "2,000 copies of the life report;" also, "2,500 copies of the report of the commission to devise a plan for the government of cities;" also, so much as relates to ten copies of each report for each Senator, Member, officer and reporter of the Assembly and Senate.

Mr. Lang moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

{ AYES 60 }  
{ NOES 38 }

Those who voted in the affirmative, were

Alvord	Corsa	Lang	Santee
Baker	Crowley	Longyear	Sheldon
S. Baldwin	Davenport	Marvin	Skillman
M. L. Baldwin	Fay	McFalls	Skinner
Barnes	Fish	McKee	Smith
Berrigan	Gere	Moller	Spicer
Billington	Gilbert	Moody	Stephenson
Bissell	J. S. Graham	Moore	Stone
Bradley	Hammond	Niven	Strahan
Braman	Hayes	Noyes	Suydam

E. Case	Healy	Orr	Taylor
G. M. Case	Hepburn	Post	Thistlethwaite
Clapp	Hodges	Potter	Valentine
Clark	Hogeboom	Rice	Webb
Corbett	Husted	Sanders	Williams

Those who voted in the negative, were

Brick	Gulick	McGroarty	Ruggles
Brill	Hamilton	Mitchell	Shanley
J. S. Brown	Herrick	Neilson	Sliter
Bulmer	Holahan	O'Hare	Spinola
Childs	Langbein	Proper	Stein
Cowdin	Langner	Purdy	Tabor
Cozans	Lyon	H. H. Rockwell	Tighe
Flecke	Maher	W. L. Rockwell	Weiant
Floyd-Jones	Maynard	Rooney	Wemple
Galvin	McGraw		

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Moller, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said report, as amended, and it was determined in the affirmative.

{ AYES 77 }  
{ NOES 16 }

Those who voted in the affirmative, were

Alvord	Cowdin	Holahan	W. L. Rockwell
Backenstose	Crowley	Husted	Sanders
Baker	Davenport	Lang	Santee
S. Baldwin	Fay	Langbein	Shanley
M. L. Baldwin	Fish	Langner	Sheldon
Barnes	Flecke	Maher	Skillman
Berrigan	Floyd-Jones	Marvin	Skinner
Bradley	Gallagher	McFalls	Smith
Braman	Galvin	McGroarty	Speaker
Brick	Gere	McKee	Spicer
Brill	Gilbert	Mitchell	Stephenson
Bulmer	J. S. Graham	Moore	Stone
E. Case	Gulick	Niven	Strahan
G. M. Case	Hammond	O'Hare	Suydam
Childs	Hayes	Orr	Taylor
Clapp	Herrick	Post	Thistlethwaite
Clark	Herbst	Potter	Valentine
Corbett	Hodges	Rice	Webb
Corsa	Hogeboom	H. H. Rockwell	Winch
Coulter			

Those who voted in the negative, were

J. S. Brown	Lyon	Purdy	Stein
Cozans	Maynard	Rooney	Tabor
Hamilton	Moller	Ruggles	Weiant
Longyear	Neilson	Spinola	Williams

The bill entitled "An act to amend chapter 71 of the Laws of 1844,

entitled 'An act to amend an act for the incorporation of the village of Oxford, and for other purposes,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davenport	Lyon	Shanley
Backenstose	Fay	Maher	Shannon
Baker	Filkin	Maynard	Skillman
S. Baldwin	Fish	McFalls	Skinner
M. L. Baldwin	Flecke	McGraw	Smith
Barnes	Gallagher	McGroarty	Speaker
Berrigan	Galvin	McKee	Spicer
Billington	Gere	Mitchell	Stephenson
Bradley	J. S. Graham	Moody	Stone
Brill	Hamilton	Neilson	Strahan
Bulmer	Hammond	Niven	Suydam
E. Case	Herrick	O'Hare	Taylor
G. M. Case	Herbst	Post	Thistlethwaite
Clapp	Hodges	Potter	Valentine
Clark	Hogeboom	Proper	Webb
Corbett	Husted	Rice	Welsh
Corsa	Lang	H. H. Rockwell	Wemple
Coulter	Langbein	W. L. Rockwell	Williams
Cowdin	Langner	Santee	Winch
Crowley	Longyear		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 76 of the Laws of 1850, entitled 'An act to revise and consolidate the laws in relation to the village of Whitehall, passed March 16, 1850,' and the other acts amendatory thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cowdin	Longyear	Shanley
Baker	Cozans	Lyon	Shannon
S. Baldwin	Davenport	Marvin	Skillman
M. L. Baldwin	Fay	Maynard	Skinner
Barnes	Filkin	McFalls	Sliter
Berrigan	Fish	McGraw	Speaker
Billington	Flecke	McGroarty	Spicer
Bissell	Floyd-Jones	Mitchell	Stein
Bradley	Galvin	Moody	Stone

Braman	Gere	Moore	Suydam
Brick	Gulick	Neilson	Tabor
Brill	Hamilton	Noyes	Taylor
Bulmer <sup>d</sup>	Hammond	O'Hare	Thistlethwaite
Burns	Hayes	Potter	Tighe
E. Case	Hogeboom	Proper	Valentine
G. M. Case	Holahan	H. H. Rockwell	Webb
Clapp	Husted	W. L. Rockwell	Weiant
Clark	Lang	Ruggles	Wemple
Corsa	Langbein	Sanders	Williams
Coulter	Langner	Santee	Winch

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to prevent fishing for trout for three years in Owasco lake, in the county of Cayuga," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cowdin	Langner	Ruggles
Backenstose	Cozans	Longyear	Sanders
S. Baldwin	Davenport	Marvin	Santee
M. L. Baldwin	Filkin	Maynard	Shanley
Barnes	Fish	McFalls	Shannon
Berrigan	Flecke	McGraw	Skinner
Billington	Floyd-Jones	McKee	Smith
Bissell	Gallagher	Mitchell	Speaker
Bowen	Galvin	Moller	Spicer
Bradley	Gilbert	Moore	Suydam
Braman	J. S. Graham	Neilson	Tabor
Brick	Gulick	O'Hare	Taylor
J. S. Brown	Hamilton	Orr	Thistlethwaite
Bulmer	Hammond	Post	Valentine
Burns	Hodges	Potter	Welsh
E. Case	Hogeboom	Proper	Wemple
G. M. Case	Holahan	Rice	Wickes
Clapp	Husted	H. H. Rockwell	Williams
Clark	Lang	W. L. Rockwell	Winch
Corbett	Langbein		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to amend chapter 164 of the Laws of 1875, entitled 'An act for the relief of the grandchildren of Samuel F. Pratt, late of the city of Buffalo, deceased,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.



{ AYES 75 }  
{ NOES 90 }

Those who voted in the affirmative, were

Aivord	Corbett	Langbein	Ruggles
Backenstose	Corsa	Langner	Sanders
Baker	Cowdin	Longyear	Santee
S. Baldwin	Davenport	Lyon	Shanley
M. L. Baldwin	Fish	Maynard	Shannon
Barnes	Flecke	McFalls	Skillman
Berrigan	Floyd-Jones	McGraw	Skinner
Bissell	Gallagher	McKee	Speaker
Bowen	Galvin	Moller	Stein
Bradley	J. S. Graham	Moody	Stone
Braman	Gulick	Moore	Suydam
Brick	Hamilton	Neilson	Tabor
Brill	Herrick	Niven	Taylor
J. S. Brown	Herbst	O'Hare	Thistlethwaite
Bulmer	Hodges	Orr	Tighe
E. Case	Holahan	Post	Webb
G. M. Case	Husted	Potter	Weiant
Clapp	Keator	H. H. Rockwell	Wemple
Clark	Lang	W. L. Rockwell	

*Ordered,* That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

Mr. Fish offered a concurrent resolution proposing an amendment to the Constitution.

Said resolution being concurrent,

*Ordered,* That the same be laid on the table.

Mr. Husted presented a petition of members of the New York city bar in opposition to the Code of Remedial Justice; which was read and referred to the committee on the judiciary.

The hour of 2 o'clock having arrived, the House took a recess until 8 o'clock P. M.

## EIGHT O'CLOCK P. M.

The House again met.

The privileges of the floor were granted to the Hon. R. U. Sherman.

By unanimous consent,

Mr. Santee introduced a bill entitled "An act to discontinue the Addison Turnpike Road Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent,

Mr. Hodges introduced a bill entitled "An act to confirm and make valid certain resolutions of the tax-payers of the village of Fairport, adopted at the annual meeting, held March 13, 1877," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, a petition on the same subject, which was read and referred to the same committee.

On motion of Mr. Webb, and by unanimous consent, the Senate bill entitled "An act to amend chapter 497 of the Laws of 1874, entitled 'An act to amend the charter of the city of Poughkeepsie, and to consolidate with it other acts relating to said city,'" was referred to the sub committee of the whole.

By unanimous consent,

Mr. J. S. Graham introduced a bill entitled "An act in relation to the service of process in the justices' courts of cities and the municipal court of the city of Rochester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a petition on the same subject, which was read and referred to the same committee.

By unanimous consent,

Mr. Moody introduced a bill entitled "An act to incorporate Crystal Hose Company No. 1, of the city of Binghamton, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Langbein introduced a bill entitled "An act relative to the effect of the repeal of statutory provisions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Bulmer introduced a bill entitled "An act to amend chapter 780 of the Laws of 1872, entitled 'An act to provide for the improvement of a certain highway in the town of Newtown, Queens county, and for the payment of property taken for such improvement,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent,

Mr. Webb introduced a bill entitled "An act to authorize the formation of town insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

By unanimous consent,

Mr. Gallagher introduced a bill entitled "An act to amend an act entitled 'An act to revise the charter of the city of Buffalo,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Noyes introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the Crescent Company,' passed May 17, 1869," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

By unanimous consent,

Mr. Cowdin introduced a bill entitled "An act to enlarge the powers of the State board of charities," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State charitable institutions.

By unanimous consent,

Mr. Stein introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the New York Burglar Insurance Company, chapter 532, Laws of 1869,' passed May 3, 1869," which was read the

first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

By unanimous consent,

Mr. Clark introduced a bill entitled "An act authorizing the inhabitants of school district number eight, in the town of Pike, county of Wyoming, to sell a portion of their school-house site," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

By unanimous consent,

Mr. E. Case introduced a bill entitled "An act to authorize plank-road and turnpike companies formed under and by virtue of an act entitled 'An act' in relation to the sale of plank-roads and turnpike roads on execution, and to provide for the incorporation of the purchasers at such sale into companies, to own and operate such roads," passed April 15, 1857, to extend their charter or corporate existence," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. J. S. Graham presented the report of the sub-committee of the whole; which was laid on the table and ordered printed.

(See Doc. No. 102.)

By unanimous consent,

Mr. Mitchell introduced a bill entitled "An act in relation to the suppression of intemperance and crime," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent,

Also, a bill entitled "An act to amend an act entitled 'An act to create in the city and county of New York the department of public charities and corrections, and to abolish the alms-house department therein,' passed April 17, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Valentine presented two petitions of citizens of Rose, Wayne county, for the repeal of the charter of the Clyde and Rose Plank-road Company; which were read and referred to the committee on roads and bridges.

Mr. Spicer presented a petition of citizens of Jefferson county, for appointment of game constables for the protection of wild deer; which was read and referred to the committee on ways and means.

Mr. W. L. Rockwell presented a petition relating to reduction of salary of county judge and surrogate of the county of Monroe; which was read and referred to the committee on the judiciary.

Mr. Sheldon presented a petition of Henry Lewis and other electors of the town of Madison, Madison county, N. Y., for the appointment of Rev. O. H. Warren of Syracuse, N. Y., a Regent of the University, in the place of Rev. A. C. George, resigned; which was laid on the table.

Mr. Corbett presented a remonstrance of citizens of Kirkland, Oneida county, against amending act permitting extension of charter of plank-road companies; which was read and referred to the committee on general laws.

A message from the Senate was received and read informing of concurrence in the passage of the bill entitled as follows:

"An act to provide for making to the New York Infirmary for Women

and Children allowances and payments for the care and maintenance of lying-in and nursing women."

*Ordered*, That the Clerk deliver said bill to the Governor.

By unanimous consent,

Mr. Fish, from the committee on affairs of cities, reported in favor of the adoption of the concurrent resolution relative to the amendment of the first section of the second article of the Constitution, which report was agreed to, and said resolution committed to the committee of the whole.

By unanimous consent,

Mr. Fish, from the committee on the affairs of cities, reported in favor of the adoption of the concurrent resolution relative to the amendment of the twenty-second section of the third article of the Constitution of this State, which report was agreed to, and said resolution committed to the committee of the whole.

By unanimous consent,

Mr. Strahan introduced a bill entitled "An act amend section 5, chapter 219, Laws of 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Also, a bill entitled "An act to change the bulk-head line of Randall's and Ward's Islands," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent,

Also, a bill entitled "An act to repeal chapter 604 of the Laws of 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Billington, Int. No. 849, entitled "An act to amend chapter 514 of the Laws of 1875, entitled 'An act to provide for the election of police justices in villages,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Brick, Int. No. 549, entitled "An act in relation to the floating debt of the village of Edgewater," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Skillman, Int. No. 915, entitled "An act to amend chapter 171 of the Laws of 1857, entitled 'An act to amend the acts entitled An act to revise, amend and consolidate the laws in relation to the village of Norwich, in the county of Chenango, passed March 23, 1857, and the act amendatory thereto, passed April 3, 1867,' passed April 26, 1871," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr. McKee, Int. No. 890, entitled "An act to amend chapter 90 of the Laws of 1865, entitled 'An act to amend and consolidate the several acts relating to the village of Ilion,' passed

March 8, 1865," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr. W. L. Rockwell, Int. No. 784, entitled "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Corsa, Int. No. 894, entitled "An act relative to summary proceedings to recover possession of lands, etc., in the city of New York," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Cowdin, Int. No. 918, entitled "An act to incorporate the Society of Decorative Art," reported adversely thereto, which report was agreed to.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Neilson, Int. No. 514, entitled "An act to relieve the county of Saratoga from the provisions of chapter 173 of the Laws of 1875, entitled 'An act to provide for the better care of pauper and destitute children,' passed April 24, 1875," reported adversely thereto.

On motion of Mr. Strahan said report was laid on the table.

Mr. Strahan, from the committee on the judiciary, to which was referred the Senate bill entitled "An act relative to evidence," reported adversely thereto.

On motion of Mr. Strahan said report was laid on the table.

Mr. Strahan, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to amend chapter 159 of the Laws of 1873, entitled 'An act authorizing the election of a police justice in the town of Newtown, Queens county, and prescribing his duties and compensation,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the Senate bill entitled "An act in relation to contracts by married women," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the Senate bill entitled "An act in relation to the powers and duties of the State Commissioner in Lunacy," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to amend chapter 529 of the Laws of 1868, entitled 'An act to incorporate the Rhinebeck Gas Company,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

"An act to amend title 1, chapter 13, part 1 of the Revised Statutes, entitled 'Of property liable to taxation,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend the Revised Statutes relating to the assessment and collection of taxes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act to provide for the incorporation of exchanges or boards of trade," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to reorganize the board of commissioners of the sinking fund of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

A message from the Senate was received and read, requesting the concurrence of the Assembly to a resolution in the words following:

*Resolved* (if the Assembly concur), That the Secretary of State be directed to cause the result of the State census of 1875 to be printed and bound, and also to be distributed in the same manner as the census of 1865, payment for the same to be made from the general appropriation for printing.

Said resolution giving rise to debate,

*Ordered*, That the same be laid on the table.

Pursuant to 9th joint rule, Mr. Speaker announced the order of business, "third reading of bills."

The bill entitled "An act to confirm the acts of the trustees of the Raquetteville Cemetery Association of North Potsdam, and to authorize the transfer of the remains of deceased persons buried in the grounds of such association to other grounds, and to authorize the sale and conveyance of the grounds abandoned," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Corsa	Langbein	Ruggles
Backenstose	Coulter	Langner	Sanders
Baker	Cowdin	Longyear	Santee
S. Baldwin	Cozans	Lyon	Shanley
M. L. Baldwin	Davenport	Maher	Shannon
Barnes	Dillmeier	Maynard	Skillman
Berrigan	Fish	McFalls	Skinner
Billington	Floyd-Jones	McGraw	Smith
Bissell	Gallagher	McGroarty	Spicer
Bradley	Gere	McKee	Stein
Braman	J. S. Graham	Moller	Stephenson
Brick	Gulick	Moody	Suydam
J. H. Brown	Hamilton	Moore	Taylor
J. S. Brown	Hammond	Noyes	Thistlethwaite
Bulmer	Hepburn	Peck	Valentine
Burns	Herrick	Potter	Webb
E. Case	Herbst	Proper	Weiant

G. M. Case	Hodges	Rice	Wemple
Clapp	Hogeboom	H. H. Rockwell	Winch
Corbett	Lang	W. L. Rockwell	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the trustees of the corporation of the village of Portageville, county of Wyoming, to cause an assessment to be made of the taxable property of said corporation and to be levied and collected a tax sufficient to pay the indebtedness of said corporation," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Corbett	Lang	Sanders
Backenstose	Corsa	Langbein	Santee
Baker	Coulter	Langner	Shanley
S. Baldwin	Cowdin	Longyear	Shannon
M. L. Baldwin	Crowley	Lyon	Sheldon
Barnes	Davenport	Maher	Skillman
Berrigan	Dillmeier	McFalls	Skinner
Billington	Fish	McGraw	Smith
Bissell	Flecke	McGroarty	Spicer
Bowen	Floyd-Jones	McKee	Stein
Bradley	Gallagher	Moller	Stephenson
Braman	Gilbert	Moody	Stone
Briek	J. S. Graham	Moore	Strahan
Brill	Gulick	Noyes	Taylor
J. H. Brown	Hammond	Peck	Thistlethwaite
J. S. Brown	Hepburn	Potter	Valentine
Bulmer	Herrick	Proper	Webb
Burns	Herbst	H. H. Rockwell	Welsh
E. Case	Hodges	W. L. Rockwell	Wemple
G. M. Case	Hogeboom	Ruggles	Winch
Clapp	Husted		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 389 of the Laws of 1876, entitled 'An act to amend chapter 504 of the Laws of 1875, entitled An act to amend chapter 455 of the Laws of 1874, entitled An act to protect the fisheries of Cross lake, in the county of Onondaga, State of New York; also, of Clyde and Seneca rivers, in the counties of Wayne and Cayuga,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Coulter	Holahan	Ruggles
Backenstose	Cowdin	Husted	Sanders
Baker	Cozans	Lang	Santee
S. Baldwin	Crowley	Langbein	Shanley
M. L. Baldwin	Davenport	Langner	Shannon
Barnes	Dimond	Longyear	Sheldon
Berrigan	Filkin	Maher	Skillman
Bissell	Fish	Maynard	Skinner
Bowen	Flecke	McFalls	Smith
Bradley	Floyd-Jones	McGraw	Spicer
Braman	Gallagher	McGroarty	Stein
Brick	Galvin	McKee	Stephenson
Brill	J. S. Graham	Moller	Stone
J. H. Brown	Gulick	Moody	Taylor
J. S. Brown	Hammond	Moore	Thistlethwaite
Burns	Hayes	Noyes	Valentine
E. Case	Hepburn	Peck	Webb
G. M. Case	Herrick	Potter	Weiant
Clapp	Herbat	Rice	Welsh
Clark	Hodges	H. H. Rockwell	Wemple
Corsa	Hogeboom	W. L. Rockwell	Winch

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the trustees of incorporated rural cemeteries to register the lots thereof, and to impose a tax upon the lot owners in said cemeteries," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NAYS 00 }

Those who voted in the affirmative, were

Alvord	Corsa	Langbein	Ruggles
Backenstose	Coulter	Langner	Sanders
Baker	Cowdin	Longyear	Santee
S. Baldwin	Cozans	Lyon	Shanley
M. L. Baldwin	Crowley	Maher	Shannon
Barnes	Davenport	Maynard	Sheldon
Berrigan	Filkin	McFalls	Skillman
Billington	Fish	McGraw	Skinner
Bowen	Flecke	McGroarty	Smith
Bradley	Floyd-Jones	McKee	Stein
Braman	Gallagher	Moller	Stephenson
Brick	J. S. Graham	Moody	Strahan
Brill	Gulick	Moore	Taylor
J. H. Brown	Hammond	Noyes	Thistlethwaite
J. S. Brown	Hepburn	Peck	Valentine
Bulmer	Herbat	Potter	Webb



Burns	Hodges	Rice	Wemple
E. Case	Hogeboom	H. H. Rockwell	Williams
G. M. Case	Husted	W. L. Rockwell	Winch
Clapp	Lang		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 3 of chapter 443 of the Laws of 1876, entitled 'An act supplemental to the act entitled An act to revise the charter of the city of Syracuse, passed March 3, 1857,' and the acts amendatory thereto, passed June 2, 1876," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cowdin	Langner	Shanley
Backenstose	Cozans	Longyear	Shannon
Baker	Crowley	Maher	Sheldon
S. Baldwin	Davenport	Maynard	Skillman
M. L. Baldwin	Dillmeier	McFalls	Skinner
Barnes	Fish	McGraw	Smith
Berrigan	Flecke	McGroarty	Spicer
Billington	Floyd-Jones	McKee	Stephenson
Bowen	Gallagher	Moller	Stone
Bradley	J. S. Graham	Moody	Suydam
Braman	Gulick	Moore	Taylor
Brick	Hammond	Morey	Thistlethwaite
J. H. Brown	Hayes	Peck	Valentine
J. S. Brown	Hepburn	Potter	Webb
Bulmer	Herbst	H. H. Rockwell	Weiant
E. Case	Hodges	W. L. Rockwell	Wemple
G. M. Case	Hogeboom	Ruggles	Wickes
Corbett	Husted	Sanders	Williams
Corsa	Lang	Santee	Winch
Coulter	Langbein		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The privileges of the floor were granted to the Hon. James McQuade.

The bill entitled "An act to amend chapter 667 of the Laws of 1872, entitled 'An act in relation to the cleaning of the streets, avenues, lanes, alleys, gutters, wharves, piers and heads of slips in the city of New York, and the removal of all ashes, garbage, rubbish and sweepings, and all dead animals, blood, offal and other refuse matter, and all bones, fish not fit for human food, and all diseased, tainted and impure meats, and other like matters in said city, therefrom, and in relation to the supervision and enforcement of and cancellation of existing contracts and arrangements in respect thereto,' passed May 14, 1872," being announced for a third reading,

Mr. Strahan moved to recommit said bill to the committee on affairs

of cities with instructions to amend by striking out all the amendments made to section 4 in committee of the whole, and report the same back as was printed, said bill to be reported back forthwith retaining its place on the order of third reading.

Mr. Strahan also accepted the amendments of Mr. Mitchell in the words following:

"The books, accounts and papers of the department of police relating to the cleaning of the streets and the expenditures made and claims incurred in relation thereto, and sums received from all sources on account thereof, shall be examined at least once in every three months by the commissioners of accounts, and the reports of said commissioners shall be published in the City Record."

Mr. Strahan moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the negative.

{ AYES 35 }  
{ NOES 45 }

Those who voted in the affirmative, were

Alvord	Corbett	Husted	Peck
Backenstose	Corsa	King	Potter
Baker	Cowdin	Marvin	Santee
S. Baldwin	Fish	McFalls	Sheldon
M. L. Baldwin	Gere	McGraw	Skinner
Barnes	Gilbert	McKee	Strahan
Billington	Gulick	Moody	Suydam
Braman	Hayes	Moore	Thistlethwaite
G. M. Case	Hodges	Morey	

Those who voted in the negative, were

Berrigan	Dillmeier	Maher	Sanders
Bissell	Flecke	Maynard	Shanley
Bradley	Floyd-Jones	McGroarty	Spicer
Brick	Hamilton	Mitchell	Spinola
J. H. Brown	Healy	Moller	Stein
Bulmer	Hepburn	O'Hare	Stephenson
Burns	Herrick	Proper	Stone
E. Case	Langbein	Purdy	Taylor
Clapp	Langner	H. H. Rockwell	Webb
Coulter	Longyear	W. L. Rockwell	Weiant
Cozans	Lyon	Ruggles	Wemple
Crowley			

Mr. Mitchell moved to recommit said bill to the committee on affairs of cities, with instructions to substitute the following bill for the bill now on third reading, and to report back to the House forthwith:

AN ACT to create a department to be known as the department of street cleaning of the city of New York, and to provide for the more thorough and efficient cleaning of the streets of said city.

*The People of the State of New York represented in Senate and Assembly, do enact as follows:*

SECTION 1. The work of cleaning the streets, avenues, lanes, alleys, places, wharves, piers and heads of slips in the city of New York, and the removal of snow and ice, ashes, garbage, rubbish and sweepings

therefrom, shall be vested in a department hereby created, and which shall be known and entitled as "The department of street cleaning of the city of New York," the head of which department shall be a commissioner, to be appointed by the board of health of said city, which commissioner shall be known and entitled the commissioner of street cleaning. Said commissioner shall hold his office for the term of two years, but shall be removable by the board of health at any time for cause. The first commissioner under this act shall enter upon the duties of his office on the first day of the month next ensuing the passage of this act, from which time his term of office shall date.

§ 2. The said commissioner of street cleaning is hereby invested with full and exclusive power and authority, and is hereby charged with the duty of causing all the streets, avenues, lanes, alleys, gutters, wharves, piers and heads of slips in said city, to be well and thoroughly cleaned, and kept at all times thoroughly cleaned, and to remove immediately all dirt and sweepings therefrom, and to remove daily all ashes, garbage, rubbish, dirt and sweepings of every kind from all dwellings, stores, public buildings and institutions, and to remove the snow and ice from the principal thoroughfares in said city. The said ashes, garbage, dirt, rubbish and sweepings shall be removed from the city as fast as collected, except such dirt and ashes as may, in the opinion of the commissioner, with the approval of the board of health, be suitable for filling in low grounds or sunken lots.

§ 3. The said commissioner of street cleaning is hereby authorized to appoint such clerks, officers, employes and laborers as may be necessary in executing the several provisions of this act. The compensation of the commissioner of street cleaning, and of the several clerks, officers, employes and laborers in his department, shall be fixed by the board of estimate and apportionment.

§ 4. All the buildings, docks, dumping-boards, boats, working stock and implements now in the possession of the board of police, and used for street cleaning purposes, are hereby transferred to the said commissioner of street cleaning, and the said board of police is hereby directed to deliver the same to him for his use in the performance of said work.

§ 5. The said commissioner of street cleaning is hereby invested with power to purchase all horses, carts, machines, scows, boats or other implements that may be necessary, in addition to all the several kinds now being used on the work by the board of police, or to hire the same, as he may deem most desirable and economical, or to hire or purchase any other implements, materials or things necessary for the said commissioner to perform thoroughly and efficiently all the duties imposed by this act.

§ 6. The dock department, as it may, from time to time, be constituted, shall provide and set apart for the use of said commissioner of street cleaning, sufficient docks and dumping-boards, suitable in all respects to the requirements of the work of street cleaning, and at locations convenient for the economical performance of the same, and to enable the said commissioner to perform the duties imposed by this act.

§ 7. The balance of the appropriation for street cleaning for the year one thousand eight hundred and seventy-seven, remaining unexpended, shall be transferred to and expended by the commissioner of street cleaning for the purposes named in this act. After the year one thousand eight hundred and seventy-seven, no greater sum shall be expended for street cleaning in any year than shall be appropriated therefor by the board of estimate and apportionment.

§ 8. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

§ 9. This act shall take effect immediately.

Mr. Husted moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said substitute of Mr. Mitchell, and it was determined in the negative.

{ AYES 34 }  
{ NOES 52 }

Those who voted in the affirmative, were

Berrigan	Flecke	McGroarty	Ruggles
Bissell	Floyd-Jones	Mitchell	Sanders
Bradley	Gulick	Moller	Shanley
Brick	Herrick	Neilson	Spinola
J. H. Brown	Langbein	Proper	Stein
Burns	Longyear	Purdy	Stone
Cozans	Lyon	H. H. Rockwell	Tabor
Crowley	Maher	W. L. Rockwell	Wemple
Davenport	Maynard		

Those who voted in the negative, were

Alvord	Cowdin	Marvin	Sheldon
Backenstose	Fay	McFalls	Skillman
Baker	Filkin	McGraw	Skinner
S. Baldwin	Fish	McKee	Smith
M. L. Baldwin	Gere	Moody	Speaker
Barnes	Gilbert	Moore	Spicer
Braman	Hayes	Morey	Strahan
E. Case	Healy	Noyes	Suydam
G. M. Case	Herbst	O'Hare	Taylor
Clapp	Hodges	Peck	Valentine
Corbett	Hogeboom	Potter	Webb
Corsa	King	Santee	Weiant
Coulter	Lang	Shannon	Winch

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Strahan, and it was determined in the affirmative.

{ AYES 48 }  
{ NOES 36 }

Those who voted in the affirmative, were

Alvord	Cowdin	King	Santee
Backenstose	Fay	Lang	Shannon
Baker	Filkin	Langbein	Skillman
S. Baldwin	Fish	Marvin	Skinner
Barnes	Gere	McFalls	Speaker
Braman	Gilbert	McGraw	Spicer
J. S. Brown	Gulick	McKee	Strahan
E. Case	Hayes	Moody	Suydam
G. M. Case	Hepburn	Morey	Taylor
Clapp	Herbst	Noyes	Valentine
Corbett	Hodges	Peck	Webb
Corsa	Hogeboom	Potter	Winch

Those who voted in the negative, were

Berrigan	Davenport	Lyon	H. H. Rockwell
Bissell	Dillmeier	Maher	W. L. Rockwell
Bradley	Flecke	Maynard	Ruggles
Brick	Floyd-Jones	McGroarty	Sanders
J. H. Brown	Hamilton	Mitchell	Shanley
Burns	Healy	Moller	Spinola
Coulter	Herrick	O'Hare	Stein
Cozans	Langner	Proper	Tabor
Crowley	Longyear	Purdy	Wemple

Mr. Coraa, from the committee on affairs of cities, reported back said bill to the House amended as instructed.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 52 }  
{ NOES 33 }

Those who voted in the affirmative, were

Alvord	Fay	King	Santee
Backenstose	Filkin	Lang	Shannon
Baker	Fish	Langbein	Skillman
S. Baldwin	Gere	Marvin	Skinner
Barnes	Gilbert	McFalls	Smith
Billington	J. S. Graham	McGraw	Speaker
Braman	Gulick	McKee	Spicer
J. S. Brown	Hammond	Moody	Strahan
G. M. Case	Hayes	Moore	Suydam
Clapp	Hepburn	Morey	Taylor
Corbett	Herbst	Noyes	Valentine
Coraa	Hodges	Post	Webb
Cowdin	Hogeboom	Potter	Winch

Those who voted in the negative, were

Berrigan	Flecke	Maynard	Sanders
Bissell	Floyd-Jones	McGroarty	Shanley
Brick	Hamilton	Mitchell	Spinola
J. H. Brown	Healy	Moller	Stein
E. Case	Herrick	Proper	Stone
Cozans	Langner	H. H. Rockwell	Tabor
Crowley	Lyon	W. L. Rockwell	Weiant
Davenport	Maher	Ruggles	Wemple
Dillmeier			

Mr. Strahan moved to reconsider the vote by which said bill was lost, and that that motion lay on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Alvord, at 10 o'clock and 25 minutes, the House adjourned.

## WEDNESDAY, APRIL 4, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Morse.

The journal of yesterday was read and approved.

The Senate returned the bills entitled as follows:

"An act making appropriations for the payment of the principal and interest of the canal debt for the fiscal year commencing on the 1st day of October, 1877, and to provide means to pay the interest on the debt created under section 3 of article 7 of the Constitution, for the fiscal year commencing on the 1st day of October, 1878, and ending on the 30th day of September, 1878."

"An act in relation to collectors and receivers of taxes."

"An act for the relief of the Kips Bay Methodist Episcopal Church."

Ordered, That the Clerk deliver said bills to the Governor.

The privileges of the floor were granted to the Hon. Mr. Gurnee.

Mr. Husted moved that the sergeant-at-arms be directed to look over the files of members containing documents, bills, etc., and replace all bills, documents, papers, etc., which have been taken from said files on or before Monday evening next.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Pursuant to 9th joint rule, Mr. Speaker announced the order of business, "third reading of bills."

The bill entitled "An act to amend chapter 559 of the Laws of 1874, entitled 'An act to incorporate the Niagara Grand Island Bridge Company,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 74 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Filkin	McFalls	Shanley
Backenstose	Fish	McGraw	Shannon
Baker	Flecke	McGroarty	Sheldon
S. Baldwin	Floyd-Jones	McKee	Skillman
M. L. Baldwin	Gallagher	Moore	Skinner
Barnes	Galvin	Noyes	Sliter
Berrigan	J. S. Graham	Orr	Spicer
Bissell	Hamilton	Peck	Stein
Bowen	Hammond	Piper	Stephenson
Bradley	Herbst	Post	Suydam
J. S. Brown	Hogeboom	Potter	Tabor
E. Case	Humphrey	Proper	Taylor
G. M. Case	Keator	Rice	Thistlethwaite
T. A. Case	King	H. H. Rockwell	Valentine

Clapp	Langbein	W. L. Rockwell	Webb
Clark	Langner	Ruggles	Welsh
Cozans	Longyear	Sanders	Wickes
Dillmeier	Lyon	Santee	Winch
Dimond	Maynard		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to authorize the treasurer of Monroe county to sell property for unpaid taxes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 76 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dimond	McFalls	Shannon
Backenstose	Fay	McGroarty	Sheldon
Baker	Flecke	McKee	Skillman
S. Baldwin	Floyd-Jones	Moller	Skinner
M. L. Baldwin	Gallagher	Moore	Sliter
Barnes	Galvin	Morey	Spicer
Berrigan	J. S. Graham	Noyes	Stein
Bissell	Hamilton	Orr	Stephenson
Bowen	Hammond	Peck	Stone
Bradley	Hepburn	Piper	Strahan
Braman	Herbst	Post	Suydam
J. S. Brown	Hodges	Potter	Taylor
Bulmer	Hogeboom	Proper	Thistlethwaite
E. Case	Humphrey	H. H. Rockwell	Tighe
G. M. Case	King	W. L. Rockwell	Valentine
T. A. Case	Langner	Ruggles	Webb
Clapp	Longyear	Sanders	Wemple
Clark	Lyon	Santee	Wickes
Dillmeier	Maynard	Shanley	Winch

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The Senate returned the Senate bill entitled "An act to provide for the better administration of justice in the town of Watervliet, in the county of Albany," with a message informing that the vote upon the final passage of said bill having been reconsidered, said bill was amended as follows:

Section 3, line 51, strike out after the words "shall have," the word "exclusive."

Mr. Braman moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to said motion to reconsider, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dillmeier	Langbein	Sanders
Backenstose	Dimond	Langner	Santee
Baker	Fay	Longyear	Shanley
S. Baldwin	Filkin	Lyon	Shannon
M. L. Baldwin	Fish	Maynard	Sheldon
Barnes	Flecke	McFalls	Skillman
Berrigan	Floyd-Jones	McGroarty	Sliter
Bissell	Galvin	McKee	Spicer
Bowen	Gilbert	Moller	Stein
Bradley	J. S. Graham	Morey	Stephenson
Braman	Hamilton	Noyes	Stone
J. S. Brown	Hammond	O'Hare	Strahan
Bulmer	Healy	Orr	Suydam
E. Case	Hepburn	Peck	Taylor
G. M. Case	Herbst	Piper	Thistlethwaite
T. A. Case	Hodges	Potter	Valentine
Clapp	Hogeboom	Rice	Welsh
Clark	Humphrey	H. H. Rockwell	Wemple
Corbett	Husted	W. L. Rockwell	Wickes
Corsa	Keator	Ruggles	Winch

Mr. Braman moved to concur in the amendment of the Senate to said bill.

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dimond	Langner	Santee
Backenstose	Fay	Longyear	Shanley
Baker	Filkin	Lyon	Shannon
S. Baldwin	Fish	Maynard	Sheldon
M. L. Baldwin	Flecke	McFalls	Skillman
Barnes	Floyd-Jones	McGroarty	Smith
Berrigan	Gallagher	Moller	Spicer
Bowen	Galvin	Moore	Stein
Braman	Gere	Morey	Stephenson
J. S. Brown	Gulick	Noyes	Stone
Bulmer	Hamilton	O'Hare	Strahan
Burns	Hammond	Orr	Suydam
E. Case	Healy	Peck	Taylor
G. M. Case	Hepburn	Piper	Thistlethwaite
T. A. Case	Herbst	Potter	Tighe
Clapp	Hodges	Proper	Valentine
Clark	Hogeboom	Rice	Webb
Corbett	Humphrey	H. H. Rockwell	Welsh



Corsa	Husted	W. L. Rockwell	Wemple
Cozans	Keator	Ruggles	Williams
Dillmeier	Langbein	Sanders	Winch

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendment.

The Senate bill entitled "An act to amend chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plank-roads and turnpikes,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 78 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Filkin	Moore	Skillman
Backenstose	Fish	Morey	Skinner
Baker	Flecke	Neilson	Speaker
S. Baldwin	Floyd-Jones	Niven	Spicer
M. L. Baldwin	Gere	Noyes	Stephenson
Barnes	Gilbert	O'Hare	Stone
Berrigan	J. S. Graham	Orr	Strahan
Bissell	Gulick	Peck	Suydam
Bowen	Hammond	Piper	Taylor
Braman	Hepburn	Potter	Thistlethwaite
J. S. Brown	Herbst	Proper	Tighe
Bulmer	Hodges	Rice	Waddell
Burns	Holahan	H. H. Rockwell	Webb
E. Case	Humphrey	W. L. Rockwell	Weiant
G. M. Case	Keator	Ruggles	Welsh
T. A. Case	King	Sanders	Wemple
Corsa	Langbein	Santee	Wickes
Dillmeier	Langner	Shanley	Williams
Dimond	McGroarty	Sheldon	Winch
Fay	McKee		

For the negative,

Corbett

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The Senate bill entitled "An act to authorize the appointment of a librarian to take charge of the law library in the Fifth Judicial District, located at Utica," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Dillmeier	Langbein	Shanley
Backenstose	Dimond	Langner	Shannon
Baker	Fay	Longyear	Sheldon

S. Baldwin	Filkin	Lyon	Skillman
M. L. Baldwin	Fish	Maynard	Sliter
Barnes	Flecke	McFalls	Smith
Berrigan	Floyd-Jones	McGraw	Spicer
Bissell	Gallagher	McGroarty	Stephenson
Bowen	Gilbert	Noyes	Strahan
Bradley	J. S. Graham	O'Hare	Suydam
Braman	Gulick	Orr	Taylor
J. H. Brown	Hamilton	Peck	Thistlethwaite
J. S. Brown	Hammond	Piper	Tighe
Bulmer	Hepburn	Potter	Valentine
Burns	Herbst	Proper	Webb
E. Case	Hodges	Rice	Wemple
G. M. Case	Humphrey	H. H. Rockwell	Wickes
T. A. Case	Keator	Sanders	Williams
Clapp	King	Santee	Winch
Corbett			

Those who voted in the negative, were

Moore                      Skinner

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

Mr. Baker in the chair.

The Senate bill entitled "An act relating to Gowanda union free school district, composed of a part of the town of Collins, in Erie county, and parts of the towns of Persia and Perrysburgh, in Cattaraugus county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dimond	Lyon	Santee
Backenstose	Fay	Maynard	Shanley
Baker	Filkin	McFalls	Shannon
S. Baldwin	Fish	McGraw	Sheldon
M. L. Baldwin	Flecke	McGroarty	Skillman
Barnes	Floyd-Jones	McKee	Skinner
Berrigan	Gallagher	Moller	Sliter
Bissell	Galvin	Moore	Smith
Bowen	Gere	Morey	Spicer
Bradley	Gilbert	Noyes	Stein
Braman	J. S. Graham	O'Hare	Stone
J. H. Brown	Gulick	Orr	Strahan
J. S. Brown	Hammond	Peck	Suydam
Bulmer	Herbst	Piper	Taylor
Burns	Hodges	Post	Thistlethwaite
E. Case	Holahan	Potter	Webb
G. M. Case	Humphrey	Proper	Welsh
T. A. Case	King	Rice	Wemple

Clapp	Langbein	H. H. Rockwell	Williams
Corbett	Langner	Sanders	Winch
Dillmeier	Longyear		

*Ordered,* That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The Senate bill entitled "An act to authorize the police department or board of police of any city to appoint policemen of district telegraph companies," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 68 }  
{ NOES 32 }

Those who voted in the affirmative, were

Baker	Fish	Longyear	Sanders
S. Baldwin	Flecke	Lyon	Santee
M. L. Baldwin	Floyd-Jones	Marvin	Shanley
Barnes	Galvin	Maynard	Shannon
Berrigan	Gere	McFalls	Skinner
Billington	Gilbert	McGraw	Speaker
Bradley	J. G. Graham	McGroarty	Stephenson
Braman	J. S. Graham	McKee	Strahan
Brick	Hammond	Niven	Suydam
J. H. Brown	Hayes	Noyes	Taylor
E. Case	Healy	O'Hare	Thistlethwaite
T. A. Case	Hepburn	Piper	Tighe
Clapp	Hodges	Potter	Valentine
Corsa	Holahan	Rice	Webb
Dimond	Keator	W. L. Rockwell	Welsh
Ecclesine	King	Ruggles	Williams
Filkin	Langbein	Sager	Winch

Those who voted in the negative, were

Alvord	Childs	Herbst	Peck
Backenstose	Corbett	Hogeboom	Proper
Bissell	Dillmeier	Humphrey	Purdy
Bowen	Fay	Moller	Rooney
J. S. Brown	Gallagher	Moody	Spicer
Bulmer	Gulick	Moore	Stein
Burns	Hamilton	Morey	Stone
G. M. Case	Herrick	Orr	Wickes

*Ordered,* That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The Senate bill entitled "An act to amend chapter 166 of the Laws of 1874, entitled 'An act to incorporate the Maritime Association of the Port of New York,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 72 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Galvin	Marvin	Sager
Backenstose	Gere	Maynard	Sanders
S. Baldwin	Gilbert	McFalls	Santee
M. L. Baldwin	J. S. Graham	McGraw	Shanley
Barnes	Gulick	McGroarty	Shannon
Bowen	Hamilton	McKee	Smith
Bradley	Hammond	Moller	Spicer
Braman	Hayes	Morey	Stein
J. H. Brown	Hepburn	Niven	Stephenson
T. A. Case	Herbst	Noyes	Stone
Clapp	Hodges	Orr	Suydam
Clark	Hogeboom	Peck	Taylor
Corsa	Humphrey	Piper	Thistlethwaite
Dimond	Keator	Potter	Tighe
Filkin	King	Rice	Valentine
Fish	Langner	H. H. Rockwell	Webb
Flecke	Longyear	W. L. Rockwell	Welsh
Gallagher	Lyon	Ruggles	Winch

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The bill entitled "An act for the reduction of the salaries and compensation of certain officers and clerks in the cities of this State," being announced for third reading,

Mr. Fish moved to recommit said bill to the committee on affairs of cities, to report back forthwith, the same retaining its place on third reading, with instructions to amend said bill as follows:

Section 1, line 1, after the word "by" insert the words "or by virtue of." Section 2, line 16, after the word "paid" strike out the word "or" and insert the word "for." Line 17, strike out the word "commission" and insert the word "commissioner." Section 5, strike out all of the second line and insert after the word "of," at the end of the first line, the following: "Teachers in the public schools and members of police and fire departments, except commissioners thereof who are members of such departments respectively at the time of the passage of this act." Insert as section 6, the following:

§ 6. In the case of any officer of the local government of any city of this State, who is at present required to give bonds for the discharge of his official duties greater in amount than one and a half millions of dollars, the bonds so required shall be reduced at the same rate per cent as his salary is reduced by the provisions of this act.

Mr. Burns moved to amend the amendment of Mr. Fish by inserting after the word "act," in section 5, the words "and all the city officers of Troy who receive a salary of two thousand dollars, or less, be excepted from the provisions of this act."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Burns, and it was determined in the affirmative,

{ AYES 65 }  
{ NOES 32 }

Those who voted in the affirmative, were

Alvord	Fay	Longyear	Rooney
Backenstose	Floyd-Jones	Lyon	Ruggles
M. L. Baldwin	Gallagher	Maynard	Sager
Barnes	Galvin	McGraw	Sanders
Bissell	J. G. Graham	McGroarty	Shanley
Braman	J. S. Graham	Moller	Shannon
Brill	Gulick	Moody	Skillman
J. H. Brown	Hamilton	Morey	Sliter
J. S. Brown	Hammond	Nachtmann	Spicer
Bulmer	Herriok	Neilson	Spinola
Burns	Herbst	Niven	Stein
G. M. Case	Hodges	Orr	Stone
Clapp	Holahan	Purdy	Suydam
Clark	Humphrey	Rice	Tighe
Cozans	Keator	H. H. Rockwell	Valentine
Dillmeier	Langner	W. L. Rockwell	Winch
Dimond			

Those who voted in the negative, were

Baker	Gere	McFalls	Skinner
S. Baldwin	Gilbert	McKee	Smith
Bradley	Hayes	Moore	Stephenson
E. Case	Healy	O'Hare	Strahan
Corbett	Hepburn	Peck	Tabor
Corsa	Hogeboom	Piper	Taylor
Fish	Langbein	Potter	Thistlethwaite
Flecke	Marvin	Sheldon	Wickes

Mr. Tighe moved to amend the amendment of Mr. Burns by further instructing the committee to insert after the word "Troy" the words "the city of Brooklyn."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. J. S. Brown moved further to amend by instructing said committee to insert in section 1, line 4, after the word "city" the words "and the officers of all grades elected or appointed in the respective counties of this State."

Mr. Alvord moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. J. S. Brown, and it was determined in the negative.

{ AYES 24 }  
{ NOES 70 }

Those who voted in the affirmative, were

Berrigan	Burns	Herbst	Shanley
Brick	Coulter	Holahan	Smith
Brill	Crowley	Maynard	Spinola
J. H. Brown	Dimond	H. H. Rockwell	Tabor

J. S. Brown	Floyd-Jones	W. L. Rockwell	Tighe
Bulmer	Galvin	Rooney	Weiant
Those who voted in the negative, were			
Alvord	Filkin	McFalls	Sheldon
Backenstose	Fish	McGroarty	Skillman
Baker	Flecke	McKee	Skinner
S. Baldwin	Gere	Mitchell	Speaker
Billington	Gilbert	Moller	Spicer
Bissell	J. S. Graham	Moody	Stein
Bradley	Gulick	Moore	Stephenson
E. Case	Hammond	Niven	Stone
G. M. Case	Hayes	Noyes	Strahan
T. A. Case	Healy	Orr	Suydam
Childs	Herrick	Peck	Taylor
Clapp	Hodges	Piper	Thistlethwaite
Clark	Hogeboom	Potter	Webb
Corbett	Keator	Proper	Welsh
Corsa	Lang	Ruggles	Wickes
Cowdin	Langbein	Sager	Williams
Dillmeier	Longyear	Santee	Winch
Fay	Marvin		

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Fish, as amended, and it was determined in the affirmative.

Mr. Fish, from the committee on affairs of cities, reported back said bill to the House, amended as instructed.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 85 }  
 } NOES 28 }

Those who voted in the affirmative, were

Backenstose	Filkin	Langner	Shanley
Baker	Fish	Marvin	Shannon
S. Baldwin	Flecke	Maynard	Skillman
M. L. Baldwin	Floyd-Jones	McFalls	Skinner
Barnes	Gere	McGraw	Smith
Bradley	Gilbert	McGroarty	Speaker
Braman	J. G. Graham	McKee	Spicer
Brick	J. S. Graham	Moller	Stein
J. H. Brown	Hammond	Moody	Stephenson
Burns	Hayes	Moore	Stone
E. Case	Healy	Morey	Strahan
G. M. Case	Hepburn	Noyes	Suydam
T. A. Case	Herrick	Peck	Tabor
Clapp	Herbst	Piper	Taylor
Clark	Hodges	Post	Thistlethwaite
Corbett	Hogeboom	Potter	Tighe
Corsa	Husted	Rice	Valentine
Coulter	Keator	H. H. Rockwell	Webb

Cowdin	King	W. L. Rockwell	Weiant
Dillmeier	Lang	Ruggles	Wickes
Dimond	Langbein	Santee	Williams
Fay			

Those who voted in the negative, were

Alvord	Crowley	Mitchell	Purdy
Berrigan	Galvin	Nachtmann	Rooney
Bissell	Gulick	Niven	Sager
Brill	Hamilton	O'Hare	Spinola
J. S. Brown	Holahan	Orr	Welsh
Bulmer	Humphrey	Proper	Winch
Childs	Longyear		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker resumed the chair.

The Senate bill entitled "An act to authorize the trustees of the will of James Cunningham, to convey to the city of Brooklyn, certain lands and hereditaments at the foot of Noble street, in said city," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Gallagher	McGraw	Sager
Backenstose	Gere	McGroarty	Santee
Baker	J. G. Graham	McKee	Shannon
S. Baldwin	J. S. Graham	Moller	Sheldon
M. L. Baldwin	Gulick	Moody	Skillman
Barnes	Hamilton	Moore	Skinner
Berrigan	Hammond	Morey	Speaker
Billington	Hayes	Neilson	Spicer
Bradley	Healy	Niven	Stein
Braman	Hepburn	Noyes	Stephenson
Brick	Herrick	O'Hare	Stone
Brill	Herbst	Orr	Strahan
E. Case	Hodges	Peck	Tabor
Childs	Hogeboom	Piper	Taylor
Corbett	Holahan	Post	Thistlethwaite
Corsa	Husted	Potter	Tighe
Coulter	Keator	Proper	Valentine
Dillmeier	Lang	Rice	Webb
Dimond	Langbein	H. H. Rockwell	Weiant
Fay	Langner	W. L. Rockwell	Welsh
Fish	Longyear	Rooney	Wemple
Flecke	Lyon	Ruggles	Wickes
Floyd-Jones	McFalls		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The Senate bill entitled "An act to release to Edward Kennedy and others the right, title and interest of the people of the State of New York to certain real estate in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 87 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Fay	Longyear	Santee
Backenstose	Filkin	McFalls	Shanley
S. Baldwin	Fish	McGraw	Shannon
M. L. Baldwin	Flecke	McGroarty	Sheldon
Barnes	Floyd-Jones	McKee	Skillman
Berrigan	Gallagher	Moody	Smith
Billington	Gere	Moore	Speaker
Bissell	J. G. Graham	Morey	Spicer
Bradley	J. S. Graham	Nachtmann	Stephenson
Braman	Gulick	Neilson	Strahan
Brick	Hamilton	Niven	Suydam
Brill	Hammond	Noyes	Taylor
J. S. Brown	Hepburn	O'Hare	Thistlethwaite
E. Case	Herrick	Peck	Tighe
G. M. Case	Herbst	Post	Valentine
Clapp	Hodges	Potter	Weiant
Corbett	Holahan	Proper	Welsh
Corsa	Humphrey	Rice	Wemple
Coulter	Keator	H. H. Rockwell	Wickes
Crowley	Lang	W. L. Rockwell	Williams
Dillmeier	Langbein	Ruggles	Winch
Dimond	Langner	Sager	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The Senate bill entitled "An act to release to Margery Farren the right, title and interest of the State of New York in and to certain real estate in the city of Brooklyn," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 88 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Crowley	Longyear	Ruggles
Backenstose	Dillmeier	Lyon	Sager
Baker	Dimond	Marvin	Santee
S. Baldwin	Filkin	McFalls	Shannon
M. L. Baldwin	Fish	McGraw	Sheldon
Barnes	Flecke	McGroarty	Skillman
Berrigan	Floyd-Jones	McKee	Skinner



Billington	Gallagher	Moody	Speaker
Bissell	J. G. Graham	Moore	Spicer
Bowen	J. S. Graham	Morey	Stephenson
Bradley	Gulick	Nachtmann	Stone
Braman	Hamilton	Neilson	Strahan
Brick	Hammond	Niven	Suydam
Brill	Hepburn	Noyes	Tabor
J. S. Brown	Herrick	O'Hare	Thistlethwaite
E. Case	Herbst	Orr	Valentine
G. M. Case	Hodges	Peck	Webb
T. A. Case	Humphrey	Piper	Weiant
Childs	Keator	Potter	Welsh
Corbett	King	Proper	Wemple
Corsa	Langbein	Rice	Williams
Coulter	Langner	W. L. Rockwell	Winch

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The Senate bill entitled "An act to release to Mary Rolph the right, title and interest of the people of the State of New York in and to certain real estate in the town of Ridgeway, Orleans county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Filkin	Lyon	W. L. Rockwell
Backenstose	Fish	Marvin	Ruggles
Baker	Flecke	McFalls	Sager
S. Baldwin	Floyd-Jones	McGraw	Santee
M. L. Baldwin	Gallagher	McGroarty	Shanley
Barnes	Galvin	McKee	Shannon
Berrigan	Gere	Moller	Skinner
Bissell	J. G. Graham	Moody	Smith
Bowen	J. S. Graham	Moore	Speaker
Braman	Gulick	Morey	Spicer
Brick	Hamilton	Nachtmann	Stephenson
Brill	Hammond	Neilson	Stone
J. S. Brown	Hepburn	Niven	Strahan
E. Case	Herrick	Noyes	Suydam
G. M. Case	Herbst	O'Hare	Taylor
T. A. Case	Hodges	Orr	Thistlethwaite
Childs	Hogeboom	Peck	Tighe
Clapp	Humphrey	Piper	Valentine
Corbett	Keator	Potter	Webb
Corsa	Lang	Proper	Wemple
Cowdin	Langbein	Rice	Wickes
Dillmeier	Langner	H. H. Rockwell	Winch
Dimond	Longyear		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The Senate bill entitled "An act to confirm the title of certain persons to real estate questioned by reason of alienage of former owners," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 91 }  
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Cowdin	Longyear	W. L. Rockwell
Backenstose	Dillmeier	Lyon	Ruggles
Baker	Dimond	Marvin	Sager
S. Baldwin	Filkin	Maynard	Santee
M. L. Baldwin	Fish	McFalls	Shannon
Barnes	Flecke	McGraw	Skillman
Berrigan	Floyd-Jones	McGroarty	Skinner
Billington	Gallagher	McKee	Smith
Bissell	Gere	Moller	Speaker
Bowen	J. G. Graham	Moody	Spicer
Bradley	J. S. Graham	Moore	Stephenson
Braman	Gulick	Morey	Strahan
Brick	Hamilton	Nachtmann	Suydam
Brill	Hammond	Neilson	Taylor
J. S. Brown	Hepburn	Niven	Thistlethwaite
E. Case	Herriek	Noyes	Tighe
G. M. Case	Herbat	O'Hare	Valentine
T. A. Case	Hodges	Orr	Webb
Childs	Hogeboom	Peck	Welsh
Clapp	Humphrey	Piper	Wemple
Clark	Keator	Potter	Wickes
Corbett	Langbein	Rice	Winch
Corsa	Langner	H. H. Rockwell	

Those who voted in the negative, were

Spinola                      Tabor

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

Mr. Gallagher introduced a bill entitled "An act to foster and encourage steam navigation upon the Erie canal and the canals connecting therewith," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Humphrey introduced a bill entitled "An act to establish the weight of a dozen of eggs, and to establish an equivalent in weight to a count by the dozen," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Marvin introduced a bill entitled "An act to amend chapter 863 of the Laws of 1873, and to define the boundaries of the Fifth and Eleventh wards of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Morey introduced, accompanied by a petition, a bill entitled "An

act to amend an act entitled 'An act to incorporate the village of Lima, Livingston county,' passed April 25, 1867," which was read the first time, and by unanimous consent was also read the second time, when,

On motion of Mr. Morey, and by unanimous consent, said bill was ordered to a third reading.

Mr. Flecke introduced a bill entitled "An act to provide for the better protection of policyholders of life insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Purdy introduced a bill entitled "An act to provide a supply of wholesome water to the Twenty-fourth ward of the city of New York, and to enable the mayor, aldermen and commonalty of the city of New York to obtain the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Husted moved that the time of this session be extended for the purpose of receiving reports of standing committees.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Messrs. Gulick and Orr presented two petitions relating to the subject of assessment and taxation; which were read and referred to the committee on ways and means.

Mr. Husted presented a petition of policyholders of the National Life Insurance Company; which was read and referred to the committee on insurance.

Mr. McGroarty moved to take from the table the report of the committee on affairs of cities in the words following:

"Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. McGroarty, Int. No. 574, entitled 'An act for the protection of Prospect park, in the county of Kings, and the entrances to the same,' reported adversely thereto."

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. McGroarty moved to disagree with the report of the committee and that said bill be committed to the committee of the whole.

Mr. Tighe moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. McGroarty, and it was determined in the affirmative.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Hayes, Int. No. 239, entitled "An act concerning the powers and duties of the board of police in relation to street cleaning," reported adversely thereto.

Mr. Hayes moved to disagree with the report of the committee and that said bill be committed to the committee of the whole.

Mr. Alvord moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Hayes, and it was determined in the negative.

Said report was then agreed to.

The Senate returned the concurrent resolution providing for printing the report of the commission to devise a plan for the government of

cities in the State of New York, with a message informing that they had concurred in the amendments of the Assembly thereto.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Herrick, Int. No. 722, entitled "An act further to amend chapter 77 of the Laws of 1870, entitled 'An act to amend the act to combine into one act the several acts relating to the city of Albany, passed April 12, 1842,' and the several acts amendatory thereof, so far as they relate to the city of Albany," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee the whole.

Mr. Fish, from the committee on affairs of cities, introduced a bill entitled "An act relating to the payment of assessments for local improvements in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Healy, Int. No. 738, entitled "An act in relation to assessment bonds in the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Bissell, Int. No. 921, entitled "An act to authorize the common council of the city of Lockport to raise, by tax, and disburse money in finishing Washington hose carriage house in said city," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Strahan, Int. No. 719, entitled "An act relative to public instruction in the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Strahan, Int. No. 771, entitled "An act to provide for the paying for services and materials furnished in caring for and burying certain members of the national guard killed and wounded in the public service," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill entitled "An act to amend chapter 654 of the Laws of 1869, entitled 'An act authorizing the construction of a railroad through certain streets in the city of Poughkeepsie, and through certain streets and roads in the town of Poughkeepsie, in the county of Dutchess,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on railroads, to which was referred the bill introduced by Mr. Tighe, Int. No. 544, entitled "An act to amend chapter 759 of the Laws of 1871, entitled 'An act concerning the Brooklyn and Rockaway Beach Railroad Company,' passed April 26, 1871," reported adversely thereto.

(Mr. O'Hare dissented.)

Mr. Tighe moved to disagree with the report of the committee and that said bill be committed to the committee of the whole.

Mr. Gilbert moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Tighe, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Alvord moved that when this House adjourns to-day it adjourn to meet to-morrow morning at 10 o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. J. G. Graham presented additional report of testimony taken before the committee on insurance, in compliance with resolution of the Assembly; which was laid on the table and ordered printed.

Mr. Post, from the committee on State prisons, to which was referred the Senate bill entitled "An act authorizing the removal of female convicts confined in the State prison at Sing Sing, and the confinement of females hereafter convicted of felony, in the county penitentiaries of this State," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Post, from the committee on State prisons, to which was referred the Senate bill entitled "An act in relation to the compensation of the several officers, keepers, guards, matrons and teachers of the Sing Sing, Auburn and Clinton prisons, and the Superintendent of the State Lunatic Asylum for insane convicts at Auburn," asked to be excused from the further consideration of said bill, and that it be referred to the committee on ways and means.

Mr. Speaker put the question whether the House would grant said request, and it was determined in the affirmative.

Mr. Smith, from the committee on public education, to which was referred the bill introduced by Mr. Corbett, Int. No. 764, entitled "An act to further amend chapter 137 of the Laws of 1842, entitled 'An act in relation to common schools in the city of Utica,' and chapter 68 of the Laws of 1850, entitled 'An act in relation to common schools in the city of Utica,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Smith, from the committee on public education, to which was referred the bill introduced by Mr. Gere, Int. No. 910, entitled "An act to repeal chapter 404 of the Laws of 1873, entitled 'An act for the relief of the inhabitants of union free school district No. 2, in the town of Newark Valley, and the county of Tioga, and to restore union free school district No. 2, in the town of Newark Valley, as it existed before the passage of said act,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hepburn, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. H. H. Rockwell, Int. No. 918, entitled "An act to amend chapter 808 of the Laws of 1868, entitled 'An act to amend the acts to provide for the incorporation of religious societies, so far as the same relates to the churches in connection with the Protestant Episcopal church,'" reported in favor of the passage

of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. H. H. Rockwell, and by unanimous consent, the committee of the whole was discharged from further consideration of said bill, and the same was ordered to a third reading.

Leave of absence was granted to Mr. G. I. Post for one week.

Mr. Corbett, from the committee on trade and manufactures, to which was referred the Senate bill entitled "An act to amend chapter 529 of the Laws of 1868, entitled 'An act to incorporate the Rhinebeck Gas Company,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Webb, and by unanimous consent, the committee of the whole was discharged from the further consideration of said bill and the same was ordered to a third reading.

On motion of Mr. Strahan, at 2 o'clock and 35 minutes, the House adjourned.

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## THURSDAY, APRIL 5, 1877.

The House met pursuant to adjournment.

Prayer by Rev. J. B. Campbell.

The journal of yesterday was read and approved.

On motion of Mr. Gilbert, and by unanimous consent, the resolution previously offered by him in the words following, was taken from the table:

*Whereas*, The education of its citizens is conceded to be of vital importance to a State; and,

*Whereas*, It is found to be necessary for a State to make liberal provision for such education; and,

*Whereas*, In order to attain this end, the State of New York has wisely made provision for the special education of teachers, by establishing Normal and training schools; therefore,

*Resolved*, That the committee on public education be respectfully requested to consider and report to this House what, if any, legislation is needed, in order to render such schools still more useful to the State; and to ascertain whether or not, in the practical operation of such schools, there has been any departure from their original purpose.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Smith, and by unanimous consent, the following resolution was taken from the table:

*Whereas*, A vacancy has occurred in the board of Regents of the University of the State of New York, by the resignation of Augustus C. George, of Syracuse; therefore, be it

*Resolved* (if the Senate concur), That the Legislature meet in joint session on Wednesday, the 11th day of April, instant, at 12 o'clock noon, for the purpose of electing a Regent of the University, in place of Augustus C. George, resigned.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows :

"An act to constitute the village of Danforth, in the town and county of Onondaga, and State of New York, a separate free school district, under the free school laws of the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

"An act to incorporate the Greenwood Lake Sportman's Club," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 605 of the Laws of 1875, entitled 'An act in relation to the county treasurers of the counties of Monroe and Seneca,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act to legalize and confirm the acts of Truman C. White as notary public," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act supplementary to chapter 611 of the Laws of 1875, entitled 'An act to provide for the organization and regulation of certain business corporations,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act for the relief of Charles S. Beardsley, late a contractor in the State prison at Auburn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act to amend chapter 295 of the Laws of 1876, entitled 'An act to authorize the presiding judge or justice of courts of oyer and terminer to grant new trials,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act relative to lands devised by Jesse Browne, deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the towns of Mentz and Montezuma, in the county of Cayuga, to transfer stock held by them in the Cayuga Northern railroad," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

The Senate returned the bill entitled "An act to amend section 42 of article 3, title one of chapter 8 of part 2 of the Revised Statutes, entitled 'Of divorces dissolving the marriage contract,'" with a message informing that they had passed the same, with the following amendments :

Section 1, line 2, after the word "third," insert the words "title one." Line 32, after the word "that," insert the words "there is." Lines 33 and 34, strike out the words "has been obtained by the defendant." Line 35, after the word "plaintiff," insert the words "in favor of the defendant." After the word "State," in same line, strike out all down to and including the word "State" in line 41.

Amend the title so as to read "An act to amend section 42 of article 3, of title 1 of chapter 8 of part 2 of the Revised Statutes, entitled 'Of divorces dissolving the marriage contract.'"

Mr. Maynard moved that the Senate amendments with the bill be laid on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Lang, and by unanimous consent, the bill entitled "An act in relation to the improvement of the Racket river and of the hydraulic power thereon, and to check freshets therein," was ordered to a third reading.

A message from the Senate was received and read, requesting the concurrence of the Assembly to a resolution in the words following:

*Resolved* (if the Assembly concur), That there be printed for the use of the Canal Commissioners 1,000 copies of the annual report of the Canal Commissioners for the year ending September 30, 1876, to be bound in cloth, and also 1,000 copies in paper covers, for the use of the Legislature, provided that the cost thereof does not exceed ten cents per page per 100 copies.

Said resolution being concurrent,

*Ordered*, That the same be laid on the table.

The Senate returned the bill entitled "An act to provide the State Library with the proceedings of boards of supervisors," with a message informing that they had passed the same, with the following amendments:

Amend section one so as to read as follows:

SECTION 1. The clerk of the board of supervisors in each county of this State shall transmit to the librarian of the State Library, at Albany, a copy of the proceedings of such board annually, and within twenty days after the same shall have been published.

Amend the title so as to read "An act to provide the State Library with the proceedings of boards of supervisors."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 71 }  
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	J. S. Graham	McGroarty	Sheldon
Backenstose	Gulick	McKee	Skillman
Baker	Hamilton	Moller	Smith
S. Baldwin	Hammond	Moore	Speaker
M. L. Baldwin	Hayes	Nachtmann	Spicer
Billings	Herbst	Neilson	Spinola
Bissell	Hodges	Niven	Stein
Bradley	Hogeboom	Orr	Stephenson
J. S. Brown	Humphrey	Peck	Stone
E. Case	Keator	Piper	Suydam
G. M. Case	King	Potter	Thistlethwaite
Clark	Lang	Rice	Tighe
Cozans	Langner	W. L. Rockwell	Valentine
Davenport	Longyear	Ruggles	Waddell
Dillmeier	Lyon	Sager	Webb
Fish	Maynard	Sanders	Welsh
Flecke	McFalls	Santee	Winch
Floyd-Jones	McGraw	Shannon	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

On motion of Mr. Hammond, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill entitled "An act to amend an act entitled 'An act to incorporate the



Union Stock Yard and Market Company,' passed May 7, 1872," and the same was ordered to a third reading.

On motion of Mr. Herbst, the privileges of the floor were granted to the Hon. Mr. Crosby.

By unanimous consent,

Mr. Billings introduced a bill entitled "An act to prohibit the interment of the dead in the burial ground belonging to the society of the First Methodist Episcopal church of the town of Carlton, Orleans county, located at Ruckville, in said town, and to authorize the removal of the dead from said ground," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent,

Mr. Alvord presented a petition of citizens of Syracuse asking for the appointment of Rev. O. H. Warren as Regent of the University in place of Rev. A. C. George, resigned; which was laid on the table.

A message from the Senate was received and read, requesting the concurrence of the Assembly to a resolution in the words following:

*Resolved*, That a respectful message be sent to the honorable the Assembly asking the return of Senate bill No. 125, entitled "An act further to amend chapter 510 of the Laws of 1869, entitled 'An act to amend an act entitled An act to incorporate the village of Flushing, passed April 15, 1837,' and the several acts amendatory thereof, passed March 30, 1857," for amendment.

On motion of Mr. Alvord, and by unanimous consent, said resolution was concurred in.

On motion of Mr. Marvin, the privileges of the floor were granted to the Hon. Mr. Burtis.

This being the day assigned by the rules for the consideration of general orders,

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act in relation to the government of the city of Brooklyn."

"An act to amend section 4, title 2, chapter 13, part of the Revised Statutes, in relation to the assessment and collection of taxes."

"An act authorizing and confirming a lease made by Benjamin Lewis and other Seneca Indians to George A. Berry, of the right to transmit crude petroleum oil through a pipe over certain lands on the Allegany reservation, and authorizing said George A. Berry to use such lands for that purpose."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Smith, from said committee, reported progress on said first mentioned bill, and asked and obtained leave to sit again.

Mr. Bradley moved to discharge the committee of the whole from the further consideration of said bill and that the same be ordered to a third reading.

Mr. Lyons moved to amend said bill in the words following, the same having been offered in the committee of the whole:

Strike out all after the word "after," in line 1, section 1, and insert the words "the first day of January, 1878, the offices of commissioners of the department of city works, of fire and buildings, of police and excise, and of parks, in and for the city of Brooklyn, are hereby abolished, and thereafter all the powers of each of said departments shall be vested in the president thereof."

§ 2. At the next general election in said city by the people thereof, there shall be elected a president of the department of city works, a president of the department of fire and buildings, a president of the department of police and excise, and a president of the department of parks, each of whom shall take office on the first day of January, 1878. The election of said officers shall, as to form and manner of procedure be conducted under the law now governing the election of comptroller and auditor of said city. The officers so to be elected under this act shall hold office for two years, and the election of their successors shall occur regularly, at two years subsequent to the next ensuing election in said city. All vacancies in the above offices, caused by death, removal, resignation, or otherwise, shall be filled by the mayor and common council until the next ensuing election after the occurrence of such vacancy, when a person shall be elected for the unexpired term of the offices so vacated.

Mr. Bradley moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Lyon, and it was determined in the negative.

{ AYES 33 }  
{ NOES 67 }

Those who voted in the affirmative, were

Berrigan	Galvin	Niven	Shanley
Bissell	Hamilton	O'Hare	Sliter
J. H. Brown	Healy	Piper	Spinola
Bulmer	Langner	Proper	Stein
Cozans	Lyon	Rice	Stone
Davenport	Maynard	H. H. Rockwell	Tabor
Dillmeier	McGroarty	Rooney	Tighe
Dimond	Nachtmann	Sanders	Wemple
Floyd-Jones			

Those who voted in the negative, were

Alvord	Filkin	Langbein	Skillman
Baker	Fish	Marvin	Skinner
Barnes	Flecke	McFalls	Smith
Billings	Gallagher	McGraw	Speaker
Billington	Gere	McKee	Spicer
Bowen	Gilbert	Mitchell	Stephenson
Bradley	J. G. Graham	Moller	Strahan
Braman	J. S. Graham	Moody	Suydam
E. Case	Gulick	Moore	Taylor
G. M. Case	Hammond	Morey	Thistlethwaite
T. A. Case	Hayes	Noyes	Waddell
Childs	Hepburn	Orr	Webb
Clapp	Herbst	Peck	Welsh
Clark	Hodges	Potter	Wickes
Corsa	Hogeboom	Santee	Williams
Crowley	Keator	Shannon	Winch.
Fay	King	Sheldon	

When the name of Mr. Mitchell was called he asked to be, and was not, excused from voting.

When the name of Mr. Flecke was called he asked to be, and was not, excused from voting.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Bradley, and it was determined in the affirmative.

Said bill was ordered engrossed for a third reading.

The private secretary of his Excellency the Governor appeared in the Assembly Chamber and presented a message in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }  
ALBANY, April 5, 1877.

*To the Assembly:*

I return, without approval, Assembly bill No. 47, entitled "An act to amend chapter 617 of the Laws of 1873, entitled 'An act regulating the deposit of securities by plate-glass insurance companies.'"

The present statute requires a deposit of \$50,000 of securities with the Superintendent of the Insurance Department by every plate-glass insurance company, as a condition precedent to the transaction of any business. The deposit is by law intended to, and does furnish a part of the security of the policyholders. All the companies of this class, now doing business in the State, have complied with this provision. Their securities are in the Insurance Department. The effect of the bill under consideration is to allow them to withdraw one-half of the securities and continue business upon a deposit of \$25,000 only.

Many policies have been issued under the law as it now stands, and the value of each one is affected by this bill. The security of the policyholders is lessened if it becomes a law. The statutes of the State assured them, when they took out their policies, that \$50,000 was held by the Insurance Department as a guarantee of the solvency of the company. Upon that guaranty the insured relied, and had a right to rely. To diminish that guaranty by half would be injustice to the policyholders and bad faith on the part of the State. Sound policy, at present, demands added and not lessened security from insurance companies, and the present provision of the law is by no means too stringent.

For these reasons I am compelled to withhold my signature from the bill.

L. ROBINSON.

On motion of Mr. Webb, and by unanimous consent, said message was laid on the table and ordered printed.

Mr. Smith, from said committee, also reported in favor of the passage of said second mentioned bill, with amendments, the title amended by inserting after the word "four" the words "article first," and after the word "part" the word "one," which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Smith, from said committee, also reported progress on said third mentioned bill, and asked and obtained leave to sit again.

Mr. Shannon moved that the committee of the whole be discharged from the further consideration of said bill and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend the charter of the Arctic Fire Insurance Company of New York, and to extend the powers and privileges thereof."

"An act to amend an act entitled 'An act changing the name of the Beach Pneumatic Transit Company to the Broadway Underground Railway Company, and extending its powers,' passed May 20, 1874."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Flecke, from said committee, reported in favor of the passage of said first mentioned bill, with amendments; which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Flecke, from said committee, also reported progress on said second mentioned bill, and asked and obtained leave to sit again.

The Senate returned the bill entitled "An act to exempt the counties of Suffolk, Tioga, Onondaga, Saratoga, Ontario, Yates, Rensselaer, Erie, Genesee, Schenectady, Monroe, Livingston and Otsego from the provisions and operation of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,' passed April 29, 1875," with a message informing that they had passed the same, with the following amendments:

Section 1, line 1, after the word "Suffolk" insert the words "except the town of Islip." Same line, strike out the word "Tioga." Line 2, after the word "Saratoga" insert the words "except the town of Saratoga Springs." Same line, strike out the word "Erie." Line 3, after the word "Otsego" insert the words "Schoharie, Niagara and Orleans." Lines 9 and 10, strike out the words "passed April 29, 1875."

Amend the title so as to read "An act to exempt the counties of Suffolk (except the town of Islip), Onondaga, Saratoga (except the town of Saratoga Springs), Ontario, Yates, Rensselaer, Genesee, Schenectady, Monroe, Livingston, Otsego, Schoharie, Niagara and Orleans from the provisions and operation of chapter 180 of the Laws of 1875, entitled 'An act creating the board of town auditors in the several towns of this State, and to prescribe their powers and duties.'"

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 71  
} NOES 4

Those who voted in the affirmative, were

Alvord	Filkin	Langbein	Shanley
Backenstose	Fish	Langner	Shannon
M. L. Baldwin	Flecke	Longyear	Skillman
Barnes	Floyd-Jones	Lyon	Smith
Berrigan	Gallagher	McGraw	Speaker
Billings	Galvin	McGroarty	Stein
Brainan	Gere	Morey	Stephenson
Brill	Gilbert	Nachtmann	Strahan
J. S. Brown	J. G. Graham	Neilson	Suydam
Burns	J. S. Graham	Niven	Taylor
E. Case	Gulick	Noyes	Thistlethwaite
Clapp	Hamilton	O'Hare	Tighe
Corsa	Hammond	Potter	Valentine
Cozans	Hayes	W. L. Rockwell	Waddell

Crowley	Hepburn	Ruggles	Webb
Davenport	Herbst	Sager	Williams
Dillmeier	Hodges	Sanders	Winch
Fay	Lang	Santee	

Those who voted in the negative, were

Hogeboom	McKee	Moore	Skinner
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*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The hour of 2 o'clock having arrived, the House took a recess until 8 o'clock P. M.

### EIGHT O'CLOCK P. M.

The House again met.

A message from the Senate was received and read informing of concurrence in the passage of the bill entitled as follows:

"An act authorizing the trustees of the village of Ballston Spa to issue bonds, to be known as 'Extended Water Bonds,' to pay a portion of the water bonds now outstanding of said village, maturing in the year 1877 and thereafter."

*Ordered*, That the Clerk deliver said bill to the Governor.

The Senate returned the bills entitled as follows:

"An act to provide the State Library with the proceedings of boards of supervisors."

"An act to incorporate Rapid Hose Company No. 1, of the city of Kingston, Ulster county, State of New York."

"An act to facilitate the construction of narrow gauge railroads, and to amend chapter 560 of the Laws of 1871, entitled 'An act to amend an act entitled An act to authorize the formation of railroad corporations and to regulate the same,' passed April 2, 1850."

*Ordered*, That the Clerk deliver said bills to the Governor.

The Senate returned the resolution relating to the election of a Regent of the University on the 11th of April instant, with a message informing that they had passed the same.

The Senate returned the following concurrent resolutions for printing, with a message informing that they had concurred in the amendments of the Assembly thereto:

Twenty-five hundred extra copies of the report of the commission to devise a plan for the government of cities in the State of New York, to be bound in paper.

Five hundred extra copies of the annual report of the Treasurer of the State of New York for the use of that officer, to be bound in paper.

Two thousand extra copies of the twenty-eighth annual report of the Managers of the Western House of Refuge for Juvenile Delinquents for the use of the managers, the same to be furnished without accompanying lithographic plates, and to be bound in paper.

Fifteen hundred extra copies of the tenth annual report of the State Board of Charities for the use of the board, five hundred copies to be bound in muslin and one thousand copies in paper covers, to be furnished without accompanying lithographic plates.

One thousand extra copies of the annual report of the Board of Managers of the State Reformatory at Elmira, for the use of the managers of that institution, to be bound in paper.

One thousand extra copies of the eighth annual report of the New York State Blind Asylum at Batavia for the use of the officers thereof, to be bound in paper.

One thousand extra copies of the annual report of the Commissioners of Fisheries of the State of New York, for the use of said commissioners, to be bound in paper.

One thousand extra copies of the eighth annual report of the Willard Asylum for the use of the asylum, to be bound in paper.

Five hundred extra copies of the annual report of the Commissioners of Quarantine for the use of the board, to be printed without maps or plates and to be bound in paper.

Two thousand extra copies of the annual report of the Board of Managers of the New York State Lunatic Asylum at Utica, for the use of the managers thereof, and without lithographic plates and to be bound in paper.

*Resolved* (if the Assembly concur), That 5,000 extra copies of the State Assessors' report be printed for distribution among the supervisors and assessors of the various towns, cities and villages of the State; said copies shall be distributed by the Secretary of State, so that each supervisor and assessor aforesaid shall receive one copy of said report.

*Resolved* (if the Assembly concur), That 2,000 extra copies be printed for the use of the Legislature and 1,000 extra copies for the use of the State Assessors.

Provided, in each case, that the printing of the extra documents named above shall not exceed ten cents per page per one hundred copies.

*Ordered*, That the Clerk return said resolutions to the Senate.

By unanimous consent,

Mr. Baker, from the committee on canals, to which was referred the report of the lateral canal commission, introduced a bill entitled "An act to provide for the disposition and sale of certain lateral canals," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

On motion of Mr. Baker, and by unanimous consent, said bill was ordered printed and referred to the committee on canals, retaining its place on general orders.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Moody, Int. No. 925, entitled "An act to incorporate Crystal Hose Company, No. 1, of the city of Binghamton, N. Y.," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill entitled "An act supplemental to chapter 380 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

(Messrs. Mitchell and McGroarty dissented).

On motion of Mr. Fish, and by unanimous consent, said bill was ordered printed, with amendments.

Leave of absence was granted to Mr. Davenport.

By unanimous consent,

Mr. Tighe introduced a bill entitled "An act relating to the sale of personal property upon execution and other process in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Tighe introduced a bill entitled "An act in relation to filling lots on Third and Fourth avenues, between Baltic and Union streets, in the city of Brooklyn, and the assessment therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

On motion of Mr. Moller, and by unanimous consent, the bill entitled "An act to incorporate the library and reading room of the village of Port Chester in Westchester county," was ordered to a third reading.

By unanimous consent,

Mr. T. A. Case introduced a bill entitled "An act regulating the payment of school moneys apportioned to the several counties of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

By unanimous consent,

Mr. Piper introduced a bill entitled "An act to amend chapter 348 of the Laws of 1876, entitled 'An act to amend section 32, part 1, title 1, article 3, chapter 16 of the Revised Statutes,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Also, a bill entitled "An act to amend chapter 426 of the Laws of 1847, entitled 'An act to provide for the incorporation of villages, passed December 7, 1847,' so far as the same relates to the village of Niagara Falls, in the county of Niagara," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

By unanimous consent,

Mr. Sanders introduced a bill entitled "An act to abolish the office of trustees of the town of Glenville, in the county of Schenectady, and to confer the powers now invested in the said trustees in the supervisor of the said town of Glenville," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent,

Mr. Langner introduced a bill entitled "An act to amend chapter 130 of the Laws of 1875, entitled 'An act for the incorporation of societies for the prevention of cruelty to children,' passed April 21, 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent,

Mr. Skinner introduced a bill entitled "An act to amend section 3 of chapter 714 of the Laws of 1869, entitled 'An act to incorporate the city of Watertown,' " which was read the first time, and by unanimous consent was also read the second time, when,

On motion of Mr. Skinner, said bill was referred to the committee of the whole.

On motion of Mr. Hogeboom, and by unanimous consent, the Senate bill entitled "An act to amend chapter 628 of the Laws of 1874, entitled 'An act to amend an act entitled An act for the incorporation of villages,' passed April 20, 1870," was ordered printed as amended by the committee.

By unanimous consent,

Mr. Hayes introduced a bill entitled "An act to amend the act entitled 'An act to provide for the inspection and sealing of gas-meters, and for the protection of consumers of illuminating gas,' passed April 14, 1859," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

By unanimous consent,

Mr. McKee, from the committee on banks, to which was referred the bill introduced by Mr. Cowdin, Int. No. 812, entitled "An act to amend the banking law," reported in favor of the passage of the same, with amendments, the title amended so as to read "An act to amend section 24, chapter 260, Laws of 1838, entitled 'An act to authorize the business of banking,'" which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Noyes, from the committee on affairs of villages, to which was referred the Senate bill entitled "An act to amend chapter 512 of the Laws of 1867, entitled 'An act to incorporate the village of Hart's Falls, in the county of Rensselaer,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Gallagher, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Santee, Int. No. 922, entitled "An act to discontinue the Addison Turnpike Road Company," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to repeal chapter 404 of the Laws of 1873, entitled 'An act for the relief of the inhabitants of union free school district No. 2, in the town of Newark Valley, in the county of Tioga, and to restore union free school district No. 2, in the town of Newark Valley, as it existed before the passage of said act,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

"An act to provide for the review and correction of illegal, erroneous and unequal assessments," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

By unanimous consent,

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Hayes, Int. No. 141, entitled "An act to incorporate the American Zoological Society," reported adversely thereto, which report was agreed to.

(Mr. Langbein dissented.)

By unanimous consent,

Mr. Strahan, from the committee on the judiciary, to which was referred



the bill introduced by Mr. Smith, Int. No. 149, entitled "An act in relation to witnesses in criminal cases," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Langbein, Int. No. 926, entitled "An act relative to the effect of the repeal of statutory provisions," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Strahan, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to authorize the town of Wilna, in the county of Jefferson, to reissue bonds to redeem and pay the bonds issued by said town in aid of the Utica and Black River Railroad Company, by virtue of chapter 824 of the Laws of 1866," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Speaker announced the special order of the day, being the bill entitled "An act to further amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,' passed April 26, 1871."

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act to further amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,' passed April 26, 1871."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. S. Baldwin, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Husted moved to discharge the committee of the whole from the further consideration of said bill and that the same be ordered to a third reading with the amendments adopted in committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 52 }  
{ NOES 41 }

Those who voted in the affirmative, were

Alvord	Clark	Herrick	Shannon
Backenstose	Coulter	Herbst	Smith
Baker	Dillmeier	Hodges	Spicer
Barnes	Filkin	Husted	Stein
Benedict	Floyd-Jones	King	Stone
Billington	Gallagher	Langbein	Strahan
Bissell	Galvin	Longyear	Tabor
Braman	Grady	Marvin	Taylor
Brill	J. G. Graham	McGroarty	Valentine
J. S. Brown	J. S. Graham	Moody	Waddell
E. Case	Gulick	Morey	Webb
G. M. Case	Hammond	Piper	Welsh
Childs	Hayes	Potter	Wemple

Those who voted in the negative, were

S. Baldwin	Hamilton	Holahan	Neilson
M. L. Baldwin	Heppburn	Nachtmann	Sanders

Billings	Hogeboom	Noyes	Skillman
Brick	Lang	O'Hare	Skinner
T. A. Case	Lyon	Peck	Spinola
Clapp	Maynard	Purdy	Stephenson
Cozans	McFalls	Rice	Thistlethwaite
Fay	McKee	H. H. Rockwell	Wickes
Fish	Moller	W. L. Rockwell	Williams
Flecke	Niven	Santee	Winch
Gilbert			

Mr. Husted moved to recommit said bill to the committee on game laws for amendment, with power to report at any time, retaining its place on the order of third reading.

Mr. T. A. Case moved to amend by substituting the judiciary committee in place of the committee on game laws.

Mr. Speaker put the question whether the House would agree to said motion of Mr. T. A. Case, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Husted, and it was determined in the affirmative.

Whereupon, at 10 o'clock and 30 minutes, the House adjourned.

## FRIDAY, APRIL 6, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Bridgford.

The journal of yesterday was read and approved.

Mr. Langbein called from the table the report of the sub-committee of the whole in favor of the passage of the bills entitled as follows:

G. O. 324, No. 315, "An act for the more efficient protection of judgment creditors."

G. O. 332, No. 322, "An act to authorize the board of education of the city of Brooklyn to establish a home or school of reform for truant children, and to transfer the Truant Home of the city of Brooklyn to the care and custody of the said board of education."

G. O. 366, No. 353, "An act to authorize the president and directors of the Charlotte Turnpike Company to abandon their road and for other purposes." [With amendments.]

G. O. 361, No. 348, "An act in relation to the maintenance of the chronic insane poor of the county of Clinton."

The question being on agreeing to said report,

Mr. Alvord moved to disagree with the report so far as relates to the bill entitled "An act in relation to the maintenance of the chronic insane poor of the county of Clinton," and that said bill be laid on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Maynard moved to disagree with the report so far as relates to the bill entitled "An act to authorize the president and directors of the Charlotte Turnpike Company to abandon their road, and for other purposes," and that said bill be laid on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the remainder of the report, and it was determined in the affirmative, and said bills ordered to a third reading.

Mr. Hodges offered for the consideration of the House a resolution, in the words following:

*Resolved*, That this House adjourn at half-past twelve o'clock, to meet on Monday next at eight o'clock P. M.

Mr. Hodges moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Hodges, and it was determined in the negative.

{ AYES 42 }  
{ NOES 52 }

Those who voted in the affirmative, were

Backenstose	Hamilton	Maher	Shanley
S. Baldwin	Healy	Marvin	Smith
M. L. Baldwin	Herrick	McGroarty	Stein
J. S. Brown	Herbat	Moody	Stone
Bulmer	Hodges	Nachtmann	Suydam
G. M. Case	Hogeboom	Niven	Thistlethwaite
Cowdin	Humphrey	Orr	Valentine
Dillmeier	Keator	Proper	Weiant
Dimond	King	Purdy	Wickes
Filkin	Longyear	Sanders	Winch
Gulick	Lyon		

Those who voted in the negative, were

Alvord	Corsa	Langner	H. H. Rockwell
Baker	Coulter	Maynard	W. L. Rockwell
Barnes	Ecclesine	McFalls	Sager
Berrigan	Fish	McKee	Santee
Billings	Flecke	Moller	Speaker
Bissell	Floyd-Jones	Moore	Spicer
Bradley	Gallagher	Morey	Stephenson
Braman	Galvin	Neilson	Tabor
Brick	Gilbert	Noyes	Taylor
E. Case	J. G. Graham	Peck	Tighe
T. A. Case	Hammond	Piper	Waddell
Clapp	Husted	Potter	Webb
Clark	Langbein	Rice	Welsh

Mr. Smith offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the committee on public education be discharged from the further consideration of bill No. 951, introduced by Mr. F. A. Case, entitled "An act regulating the payment of school moneys apportioned to the several counties of the State," and that the same be referred to the committee on ways and means.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Husted in the chair.

Mr. Stephenson offered for the consideration of the House a resolution, in the words following:

*Resolved*, That this House adjourn to-day at 2 o'clock, until 8 o'clock Monday evening next.

Mr. Morey moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Stephenson, and it was determined in the negative.

{ AYES 48 }  
{ NOES 60 }

Those who voted in the affirmative, were

S. Baldwin	Fish	Maher	Sanders
M. L. Baldwin	Gilbert	Marvin	Shanley
Berrigan	Gulick	McFalls	Smith
Brill	Hamilton	McGroarty	Stein
J. S. Brown	Healy	Mitchell	Stephenson
Bulmer	Herrick	Moody	Stone
Burns	Herbst	Morey	Suydam
G. M. Case	Hodges	Nachtmann	Thistlethwaite
Corsa	Holahan	Proper	Valentine
Cowdin	Humphrey	Purdy	Wemple
Dillmeier	King	H. H. Rockwell	Wickes
Dimond	Lyon	W. L. Rockwell	Winch

Those who voted in the negative, were

Alvord	Ecclesine	Longyear	Sager
Backenstose	Filkin	Maynard	Santee
Baker	Flecke	McGraw	Shannon
Barnes	Floyd-Jones	McKee	Sheldon
Billings	Gallagher	Moller	Sliter
Bissell	Galvin	Moore	Speaker
Bradley	Gere	Neilson	Spicer
Braman	J. G. Graham	Niven	Tabor
Brick	Hammond	Noyes	Taylor
E. Case	Hayes	O'Hare	Tighe
T. A. Case	Hogeboom	Orr	Waddell
Clapp	Husted	Peck	Webb
Clark	Keator	Piper	Weiant
Coulter	Langbein	Potter	Welsh
Crowley	Langner	Rice	Williams

Mr. S. Baldwin introduced a bill entitled "An act to extend the time for the collection of taxes in the town of Wellsville, in the county of Allegany," which was read the first time, and by unanimous consent was also read the second time, when

On motion of Mr. S. Baldwin, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
 { NOES 00 }

Those who voted in the affirmative, were

Alvord	Ecclesine	Lyon	Sager
Backenstose	Filkin	Marvin	Santee
Baker	Fish	Maynard	Shannon
S. Baldwin	Flecke	McFalls	Smith
M. L. Baldwin	Floyd-Jones	McGraw	Spicer
Barnes	Gallagher	McGroarty	Stein
Berrigan	Galvin	McKee	Stephenson
Billings	Gere	Moller	Stone
Bissell	Gulick	Moore	Snydam
Braman	Hamilton	Morey	Taylor
Brick	Hammond	Nachtmann	Thistlethwaite
J. S. Brown	Hayes	Neilson	Tighe
Burns	Herbst	Niven	Valentine
E. Case	Hodges	O'Hare	Waddell
G. M. Case	Humphrey	Peck	Webb
T. A. Case	Husted	Piper	Weiant
Clapp	Keator	Potter	Welsh
Clark	King	Rice	Wemple
Corsa	Langbein	H. H. Rockwell	Williams
Crowley	Longyear	W. L. Rockwell	Winch
Dillmeier			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. S. Baldwin introduced a bill entitled "An act to amend section 18, article 3, title 3 of chapter 130 of the Laws of 1842, entitled 'An act respecting elections other than for militia and town officers,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Marvin introduced a bill entitled "An act to abolish the office of supervisor at large of Kings county, and the office of county auditor of Kings county, and to confer the duties thereof on the president of the board of supervisors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Tighe introduced a bill entitled "An act to regulate the laying of railroad tracks in the streets of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Peck introduced a bill entitled "An act to provide for rebuilding a town hall in Mexico, Oswego county," which was read the first time, and by unanimous consent was also read the second time, when

On motion of Mr. Peck, and by unanimous consent, said bill was ordered to a third reading.

Mr. Waddell introduced a bill entitled "An act to amend an act passed April 13, 1872, entitled 'An act to amend section 3 of chapter 817 of the Laws of 1866, entitled 'An act to lay out and construct a road from the river road, in township No. 14, in the town of Johnsbury, to the Carthage road, near the head of Long lake, in Hamilton county,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Valentine introduced a bill entitled "An act to legalize the official acts of E. W. Sherman as notary public," which was read the first time, and by unanimous consent was also read the second time, when

On motion of Mr. Valentine, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 80 }  
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Dimond	Maher	W. L. Rockwell
Backenstose	Filkin	Marvin	Sanders
Baker	Fish	Maynard	Santee
S. Baldwin	Flecke	McFalls	Shannon
Barnes	Floyd-Jones	McGraw	Sheldon
Berrigan	Gallagher	McGroarty	Smith
Billings	Galvin	McKee	Spicer
Bradley	Gere	Moller	Spinola
Braman	J. G. Graham	Moore	Stephenson
Brick	Gulick	Morey	Stone
Brill	Hamilton	Nachtmann	Suydam
J. S. Brown	Hayes	Neilson	Taylor
Bulmer	Herbst	Niven	Thistlethwaite
E. Case	Hodges	O'Hare	Tighe
G. M. Case	Humphrey	Orr	Valentine
T. A. Case	Husted	Peck	Waddell
Clapp	Keator	Piper	Weiant
Clark	King	Potter	Wemple
Crowley	Longyeag	Rice	Wickes
Dillmeier	Lyon	H. H. Rockwell	Winch

For the negative,

Langner

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Strahan introduced a bill entitled "An act to extend the time within which the Merchants' Loan Company, may commence business," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hayes offered for the consideration of the House a resolution, in the words following:

*Resolved*, That bill No. 408, entitled "An act authorizing the taxation of stockholders of banks and the surplus funds of savings banks," be made a special order for Tuesday morning next immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

Mr. Suydam offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of Senate bill No. 58, entitled "An act to amend

an act entitled 'An act amending chapter 837 of the Laws of 1868, and chapter 623, Laws of 1869, in reference to the laying out, opening and continuing Bushwick avenue, in the town of New Lots, Kings county,' passed May 21, 1873," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Speaker resumed the chair.

Mr. Fish, from the committee on affairs of cities, to which was recommended the bill introduced by Mr. Strahan, Int. No. 383, entitled "An act to provide for perfecting and perpetuating the right and title of the city of New York to property, water, water-rights and privileges heretofore taken or used, or which may be hereafter taken or used, by said city to increase the supply of pure and wholesome water for the use of said city, and to provide for the payment and extinguishment of all claims or damages growing out of such taking or using," reported the same complete.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill, entitled "An act to legalize the State and county taxes in the city of Cohoes, Albany county, for the years 1870, 1871, 1872, 1873, 1874 and 1875, and to provide for the collection thereof, and to authorize the sale of lands in the city of Cohoes for unpaid State and county taxes," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill entitled "An act to provide for the determination and payment of claims for goods, merchandise and material furnished, and labor performed in fitting up and furnishing armories and drill rooms in the city of New York," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on railroads, to which was referred the bill introduced by Mr. Bowen, Int. No. 908, entitled "An act to amend an act entitled 'An act to change the time of payment of certain railroad bonds of the town of Plattsburgh, executed in aid of the New York and Canada Railroad Company, and to issue bonds in place thereof,' passed May 13, 1876," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on railroads, to which was referred the bill introduced by Mr. Moller, Int. No. 354, entitled "An act in relation to commutation and other fares, for transporting passengers by railroad companies, chartered by or incorporated in any other State, and doing business in the State of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

(Mr. Gilbert dissented.)

Mr. Gilbert, from the committee on railroads, to which was referred the bill introduced by Mr. Ecclesine, Int. No. 619, entitled "An act to regulate the granting of injunctions in cases where railroad corporations are parties defendant," reported adversely thereto.

Mr. Ecclesine moved to disagree with the report of the committee, and that said bill be committed to the committee of the whole.

Mr. Baker moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the negative.

Debate ensued, when

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Ecclesine, and it was determined in the negative.

{ AYES 27 }  
{ NOES 66 }

Those who voted in the affirmative, were

Berrigan	Dimond	Maier	Purdy
Bissell	Ecclesine	Maynard	Sliter
Brill	Floyd-Jones	Mitchell	Stein
Bulmer	Gallagher	Neilson	Tabor
Burns	Hamilton	Niven	Tighe
Childs	Holahan	O'Hare	Waddell
Crowley	Lyon	Orr	

Those who voted in the negative, were

Alvord	Cowdin	Marvin	Shannon
Backenstose	Cozans	McFalls	Speaker
Baker	Dillmeier	Moller	Spicer
S. Baldwin	Filkin	Moody	Spinola
Barnes	Fish	Moore	Stephenson
Billings	Flecke	Morey	Strahan
Billington	Gere	Nachtmann	Suydam
Bradley	Gilbert	Noyes	Taylor
Braman	Gulick	Peck	Thistlethwaite
Brick	Hayes	Potter	Valentine
J. H. Brown	Healy	Rice	Webb
E. Case	Herbat	H. H. Rockwell	Welsh
G. M. Case	Hogeboom	Sager	Wemple
T. A. Case	Humphrey	Sanders	Wickes
Clapp	Keator	Santee	Williams
Corsa	Langbein	Shanley	Winch
Coulter	Langner		

When the name of Mr. Husted was called, he asked to be, and was, excused from voting.

Mr. O'Hare moved to reconsider the vote by which the motion to disagree with the committee was lost, and that that motion lay on the table.

Debate was had thereon, when

Mr. O'Hare moved that the House adjourn.

Mr. Speaker put the question whether the House would agree to said motion to adjourn, and it was determined in the negative.

Mr. Morey moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. O'Hare, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative.



Mr. O'Hare moved to reconsider the vote by which the report of the committee was agreed to and that that motion lay on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Gilbert, from the committee on railroads, to which was referred the bill introduced by Mr. Ecclesine, Int. No. 459, entitled "An act to amend an act entitled 'An act further to provide for the construction and operation of a steam railway or railways in counties of the State,' passed June 18, 1875," reported adversely thereto.

Mr. Ecclesine moved to lay said report on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Webb, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Cowdin, Int. No. 613, entitled "An act establishing and regulating quarantine and defining the qualifications and duties and powers of the health officer of the harbor and port of New York," reported adversely thereto.

Mr. Cowdin moved to lay said report on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Webb, from the committee on commerce and navigation, to which was recommitted the bill introduced by Mr. Suydam, Int. No. 422, entitled "An act to change the bulk-head and pier lines for Newtown creek, in the port of New York," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Webb, from the committee on commerce and navigation, to which was referred the Senate bill entitled "An act to provide for the incorporation of exchanges and boards of trade," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. J. G. Graham, from the committee on insurance, to which was referred the Senate bill entitled "An act to amend chapter 366 of the Laws of 1859, entitled 'An act to establish an insurance department,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

(Messrs. Moody, Weiant and Coulter dissented.)

Mr. J. G. Graham, from the committee on insurance, to which was referred the Senate bill entitled "An act to provide for the reduction of the number of directors in fire and marine insurance companies," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

(Messrs. Coulter, Weiant and Moody dissented.)

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Moller, Int. No. 880, entitled "An act to amend chapter 776 of the Laws of 1870, entitled 'An act to amend an act entitled 'An act to provide for the incorporation of villages,' passed December 7, 1847, and the several acts amendatory thereof, so far as the same relate to the village of Mount Vernon, in the county of Westchester, and to declare, enlarge and define the powers and duties

of the officers of said village, and to confirm and extend the powers of the corporation of said village, passed May 10, 1870," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Hodges, Int. No. 923, entitled "An act to confirm and make valid certain resolutions of the tax-payers of the village of Fairport adopted at the annual meeting, held March 13, 1877," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. McFalls, from the committee on public health, to which was referred the bill introduced by Mr. Hayes, Int. No. 152, entitled "An act providing for reports of births, marriages and deaths, the registry of vital statistics, and the regulation of interments," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Peck, from the committee on public education, to which was referred the bill introduced by Mr. Clark, Int. No. 931, entitled "An act authorizing the inhabitants of school district, No. 8, in the town of Pike, Wyoming county, to sell a portion of the school-house site," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Peck, from the committee on public education, to which was referred the bill introduced by Mr. Floyd-Jones, Int. No. 293, entitled "An act to establish the boundaries of school district No. 5, of the town of Flushing, Queens county, New York," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Peck, from the committee on public education, to which was referred the Senate bill entitled "An act to repeal chapter 404, Laws of 1873, entitled 'An act for the relief of the inhabitants of union free school district No. 2, in the town of Newark Valley, in the county of Tioga,' and to restore union free school district No. 2, in the town of Newark Valley, as it existed before the passage of said act," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Baker, from the committee on canals, introduced a bill entitled "An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year commencing on the first day of October, 1877," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

On motion of Mr. Baker, and by unanimous consent, said bill was made a special order for Thursday morning next, immediately after the reading of the journal.

Mr. Baker offered for the consideration of the House the resolutions, in the words following:

*Resolved* (if the Senate concur), That the Legislature do concur in the rates of toll established by the Canal Board for the year 1877 on persons and property transported on the Erie, Champlain, Oswego and Cayuga and Seneca canals, said rates being in all respects the same as for 1876, excepting a reduction of fifty per cent on grain, peas, domestic salt and

lumber transported in boats, and the exemption of boats from the payment of tolls.

*Resolved* (if the Senate concur), That the Legislature do consent to the reduction of tolls on flour, staves and heading transported on the Erie, Champlain, Oswego, Cayuga and Seneca canals, on coal going towards and from tide-water, and on all up freight, except foreign salt, to such an extent not exceeding fifty per cent below the rates of 1876, as the Canal Board shall, in its discretion, think expedient, and as the exigencies of trade shall demand during the ensuing season of navigation.

[Mr. Baker dissented, except as far as relates to toll on light boats.]

Mr. Gallagher moved that said resolutions be made a special order for Wednesday evening next, immediately upon convening of the House.

Mr. Baker moved to amend by striking out the words "Wednesday evening" and inserting "Friday morning, immediately after reading of the journal."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Baker, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Gallagher, and it was determined in the affirmative.

By unanimous consent,

Mr. Husted introduced a bill entitled "An act relating to evidence in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Hogeboom, the privileges of the floor were granted to the Hon. T. C. Campbell.

Mr. Alvord moved that the House do now take a recess until half-past three o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Whereupon, at 1 o'clock and 43 minutes, the House took a recess until 3½ o'clock.

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### HALF-PAST THREE O'CLOCK P. M.

The House again met.

Mr. Speaker presented the following communication:

STATE OF NEW YORK—CANAL DEPARTMENT, {  
ALBANY, April 5, 1877. }

*To the Honorable the Speaker of the Assembly:*

SIR—At a meeting of the Canal Board, held Wednesday, April 4, 1877, the following resolution was adopted:

By Mr. Ross:

*Resolved*, That the Legislature be respectfully requested to modify the toll sheet of 1877, heretofore transmitted, so as to permit a reduction of fifty per cent of the toll upon domestic salt.

Yours truly,

G. W. SCHUYLER, *Auditor*.

Mr. Speaker presented a memorial of Martin Zlowski and others, relative to construction of underground drains and sewers, and resolution

relating thereto, of common council of New York; which was read and referred to the committee on affairs of cities.

Mr. E. Case presented a remonstrance of citizens of Oneida county, against sale or abandonment of the Chenango canal; which was read and referred to the committee on canals.

Mr. Alvord rose to a question of privilege and said: Mr. Speaker—I rise to a question of privilege. In the Tribune yesterday there is a *quasi* editorial article in reference to an unfortunate occurrence in the House yesterday, in which I was a participant; and it gives me great pleasure to say upon this question that I commend, so far as the rebuke is concerned, the article in the Tribune. I permitted myself, sir, to get beyond what was my duty, and what ought to have been my part to set an example to other members of this House, being older than most within the body of the House. I, sir, under great apparent provocation, permitted myself to get beyond the line of parliamentary proceeding, and I hope and trust that the rebuke given to me will not only take care of myself in the future in that regard, but will also have an effect upon other members of the House.

By unanimous consent,

Mr. Rice presented a petition of citizens of Lewis county, in favor of a law authorizing State game constables; which was read and referred to the committee on ways and means.

By unanimous consent,

Mr. Moore presented a petition, for appointment of Rev. O. H. Warren in place of Rev. A. C. George, resigned; which was laid on the table.

Mr. Alvord moved to lay all order of business on the table down to "general orders," and that that order of business be taken up.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Husted moved that the bill entitled "An act authorizing the taxation of stockholders of banks, and the surplus funds of savings banks," be made a special order for Monday evening, immediately after the reading of the journal.

Mr. Langbein moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Husted, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

Mr. J. G. Graham offered for the consideration of the House a resolution, in the words following:

*Resolved*, That bill No. 356, entitled "An act to provide for the better protection of policyholders of life insurance companies," be made a special order for Monday evening next, immediately after "introduction of bills."

Mr. Tabor moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to said motion of Mr. J. G. Graham, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. McGroarty offered for the consideration of the House a resolution, in the words following:

*Resolved*, That when this House adjourns to-day, it adjourn until Monday evening, the 9th inst., at 7 o'clock and 45 minutes.

Mr. O'Hare moved to lay said resolution on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution of Mr. McGroarty and it was determined in the affirmative.

Mr. Stein gave notice that he would, at some future day, move to suspend rule 25, for the purpose of advancing bill No. 419, entitled "An act authorizing the erection of a new Capitol."

Mr. H. H. Rockwell, offered for the consideration of the House a resolution, in the words following:

*Resolved*, That Senate bill No. 97, entitled "An act in relation to the imprisonment of convicts in the New York State reformatory," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

A message from the Senate was received and read, informing of concurrence in the passage of the resolution in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to his Excellency the Governor requesting the return to the Senate of Senate bill No. 102, entitled "An act to amend chapter 164 of the Laws of 1875, entitled 'An act for the relief of the grand-children of Samuel F. Pratt, late of the city of Buffalo, deceased,'" for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have passed the same.

Leave of absence was granted to Messrs. J. S. Graham, Hepburn and Fay.

Mr. Santee moved that leave of absence be granted to all members absent from this session.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker presented the following communication:

NEW YORK, April 6, 1877.

HON. GEORGE B. SLOAN, *Speaker of the Assembly*:

You are respectfully requested to invite all members of the Legislature to attend a citizens' mass meeting, favoring the constitutional amendments, at Chickering Hall, New York, on next Saturday evening.

C. S. SMITH,

*Chairman Committee of Arrangements.*

Mr. Fish gave notice that he would, at some future day, move to suspend rule 25, in order to place on the preferred calendar Senate bill No. 231, entitled "An act supplemental to chapter 335 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York,'" as reprinted; also, bill No. 452, being concurrent resolutions proposing an amendment to the Constitution; also, bill No. 480, being concurrent resolutions proposing an amendment to the Constitution; also, bill No. 479, being concurrent resolutions proposing an amendment to the Constitution.

The order of business, "general orders," being announced, The House resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend chapter 237 of the Laws of 1869, entitled 'An act to amend an act entitled An act to authorize the formation of railroad corporations and to regulate the same, passed April 2, 1850,' passed April 17, 1869."

"An act to prevent agricultural societies, which offer premiums for trials of speed between horses, from receiving money appropriated to agricultural societies by this State."

"An act relating to the operations of the United States coast survey in the State of New York."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Noyes, from said committee, reported in favor of the passage of said first mentioned bill, with an amendment.

Mr. Maynard moved to disagree with the report of the committee by striking out the amendment made in committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Noyes, from said committee, also reported progress on said second mentioned bill, and asked and obtained leave to sit again.

Mr. Noyes, from said committee, also reported in favor of the passage of said third mentioned bill, with an amendment; which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Rooney offered for the consideration of the House a resolution, in the words following:

*Resolved*, That bill No. 313, entitled "An act to prevent deception in the sale of butter," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

Mr. Husted offered for the consideration of the House a resolution, in the words following:

*Resolved*, That after this date the call of the general orders shall be proceeded with regularly, and bills not moved shall not again be called until the entire list has been called.

Mr. Brill moved to lay said resolution on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Hogeboom moved to amend said resolution by striking out the words "this date" and inserting the words "Tuesday next."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution, as amended, and it was determined in the affirmative.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to confer certain powers and privileges upon the New York Academy of Medicine."

Senate, "An act to amend chapter 426 of the Laws of 1868, entitled 'An act relative to the lands devised by Richard Ray, deceased.'"

Senate, "An act to amend chapter 611 of the Laws of 1875, entitled

'An act to provide for the organization and regulation of certain business corporations.' "

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Bissell, from said committee, reported in favor of the passage of said first mentioned bill; which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Bissell, from said committee, also reported progress on said second mentioned bill, and asked and obtained leave to sit again.

Mr. Husted moved that the committee of the whole be discharged from the further consideration of said bill and that the same be ordered to a third reading.

Mr. Husted moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Husted, and it was determined in the affirmative.

{ AYES 51 }  
{ NOES 18 }

Those who voted in the affirmative, were

Alvord	Clark	Husted	H. H. Rockwell
Backenstose	Cowdin	King	Santee
Baker	Fish	Langbein	Shanley
Billings	Floyd-Jones	Langner	Shannon
Billington	Gallagher	Lyon	Speaker
Bissell	Gere	Marvin	Stephenson
Bradley	J. G. Graham	McGroarty	Strahan
Braman	Gulick	Moller	Suydam
Brick	Hammond	Morey	Webb
Bulmer	Hayes	Peck	Welsh
E. Case	Herriok	Piper	Williams
T. A. Case	Hogeboom	Potter	Winch
Clapp	Holahan	Rice	

Those who voted in the negative, were

Berrigan	Grady	Purdy	Tabor
Brill	Healy	Rooney	Taylor
Burns	Maynard	Sager	Tighe
Crowley	Niven	Spinola	Wickes
Galvin	O'Hare		

Mr. Bissell, from said committee, reported progress on said third mentioned bill, and asked and obtained leave to sit again.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend an act entitled 'An act to facilitate the construction of railroads and tram roads within the counties of Essex and Clinton, and to authorize the formation of companies therefor,' passed April 14, 1865, and to extend the same to all counties of this State, except New York and Kings.' "

Senate, "An act to divide the Third and Seventh wards of the city of Utica, and to create the Eleventh and Twelfth wards therein."

Senate, "An act in relation to the organization of certain business corporations."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Gulick, from said committee, reported progress on said first mentioned bill, and asked and obtained leave to sit again.

Mr. Alvord moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Alvord moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Alvord, and it was determined in the affirmative.

Mr. Gulick, from said committee, also reported progress on said second mentioned bill, and asked and obtained leave to sit again.

Mr. Grady moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Grady moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Grady, and it was determined in the negative.

Mr. Gulick, from said committee, also reported progress on said third mentioned bill, and asked and obtained leave to sit again.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act supplementary to chapter 349 of the Laws of 1855, entitled 'An act incorporating the Oswego fire department of the city of Oswego,' passed April 12, 1855, and the acts amending the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to amend chapter 384 of the Laws of 1876, entitled 'An act respecting the powers of the Canal Board and the adjustment of tolls,' passed May 20, 1876," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to amend chapter 49 of the Laws of 1876, entitled 'An act in relation to the equalization of assessments under chapter 312 of the Laws of 1859, and the amendments thereto,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act supplementary to the charter of the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act regulating the amount of capital stock for fire and marine insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

On motion of Mr. J. G. Graham, and by unanimous consent, the bill No. 435 was substituted for said bill.

"An act for the relief of Abel Crook," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to confer upon the trustees of the village of Middletown, in the county of Orange, power to restrain and regulate the construction



of wooden buildings, structures, additions or improvements, and to cause the removal or repair of unsafe walls or chimneys," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to provide for widening Vernon avenue, from Third street to Jackson avenue, in the First ward of Long Island City," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

A message from the Senate was received and read informing of concurrence in the amendments of the Assembly to the bills entitled as follows:

"An act to release to Edward Kennedy and others the right, title and interest of the people of the State of New York to certain real estate in the city of New York."

"An act to amend chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plank-roads and turnpikes.'"

*Ordered*, That the Clerk return said bills to the Senate.

The Senate returned the bill entitled as follows:

"An act to extend the charter of the Chenango Bridge Company, in the county of Broome."

*Ordered*, That the Clerk deliver said bill to the Governor.

On motion of Mr. Spinola, at 5 o'clock and 47 minutes, the House adjourned.

## MONDAY, APRIL 9, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Smith.

The journal of Friday, April 6, was read and approved.

On motion of Mr. Alvord, the privileges of the floor were granted to Hon. Charles Simons.

On motion of Mr. Baker, the privileges of the floor were granted to Hon. G. W. L. Smith.

Mr. Ecclesine introduced a bill entitled "An act to facilitate rapid transit, and to regulate the granting of injunctions in cases where railroad corporations are parties defendant," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Braman introduced a bill entitled "An act authorizing the board of trustees of the village of Green Island to contract for a supply of water for public purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Speaker announced the special order of the day, being the bill entitled "An act to provide for the better protection of policyholders of life insurance companies."

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act to provide for the better protection of policyholders of life insurance companies."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Davenport, from said committee, reported that there was no quorum present.

Mr. Speaker directed the Clerk to call the roll and ascertain if a quorum was present, when the following members answered to their names:

Alvord	Cozans	McFalls	Smith
Backenstose	Davenport	Moller	Speaker
Baker	Dillmeier	Moody	Spicer
Benedict	Filkin	Moore	Spinola
Berrigan	Fish	Morey	Stein
Billings	Flocke	Neilson	Stephenson
Bissell	Floyd-Jones	Noyes	Strahan
Bradley	Galvin	Orr	Suydam
Braman	J. G. Graham	Peck	Thistlethwaite
Brick	Gulick	Potter	Tighe
J. S. Brown	Hamilton	Purdy	Valentine
Burns	Hammond	H. H. Rockwell	Waddell
E. Case	Hayes	Ruggles	Weiant
T. A. Case	Herrick	Sager	Welsh
Clapp	Hogeboom	Sanders	Wickes
Clark	Husted	Shannon	Williams
Corbett	Langbein	Skillman	Winch
Cowdin	Maynard	Skinner	

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A quorum having been found to be present,

The House again resolved itself into a committee of the whole on the bill entitled as follows:

"An act to provide for the better protection of policyholders of life insurance companies."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Davenport, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. J. G. Graham moved that said bill be made a special order for Thursday evening next.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Leave of absence was granted to Mr. Brill until Wednesday.

On motion of Mr. Husted, and by unanimous consent, the outside sheets of the preliminary report of testimony taken before the insurance committee be taken from said reports, and the same be replaced by a sheet signed by the whole of the committee on insurance.

Mr. Welsh, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to incorporate the Whitehall Water-works Company, and to enable the village of Whitehall to contract with said company for the use of water."

"An act to authorize the common council of the city of Hudson to borrow five thousand dollars for maintenance of the water-works of said city."

"An act to enable the city of Brooklyn to raise further means for the improvement and sale of certain portions of Prospect park in said city."

"An act authorizing and empowering the common council of the city

of Rochester to construct a turn-table or swing-bridge over the Erie canal, in Allen street, in the city of Rochester."

"An act to authorize the city of Rochester to acquire the title to land or other property for the use of water-works."

"An act authorizing the commissioners of highways of the town of Glenville, Schenectady county, to appropriate a portion of the moneys received for commutation of highway labor to the payment of interest of indebtedness of said town, incurred in the purchase and rebuilding of the Mohawk and Schenectady Bridge Company's bridges, and for repairs of said bridges."

"An act in relation to the appointment of town constables in the county of Ontario."

"An act to authorize the county clerk of the county of Chenango to certify defective records and enter certain orders and judgments, omitted to be entered by his predecessors in office."

"An act to provide better facilities for the election of town officers in the town of Watervliet, Albany county."

"An act to amend chapter 68 of the Laws of 1860, entitled 'An act to consolidate and amend the several acts relating to the village of Catskill,' passed March 14, 1860."

"An act to authorize the First Presbyterian Church of Kortright, Delaware county, to change its corporate name, and to legalize the acts of the trustees of said church heretofore done under the name of the Trustees of the United Presbyterian Church of Kortright, and to legalize all the proceedings had by said church under the name of said United Presbyterian Church."

"An act to enable the town of Newtown, in Queens county, to consolidate a portion of the bonded debt, and equalize the time of payment thereof."

"An act to amend an act entitled 'An act to incorporate the village of Lima, Livingston county,' passed April 25, 1867."

"An act in relation to the improvement of the Racket river and of the hydraulic power thereon, and to check freshets therein."

"An act to amend an act entitled 'An act to incorporate the Union Stock Yard and Market Company,' passed May 7, 1872."

"An act in relation to the government of the city of Brooklyn."

"An act to amend section 4, article 1, title 2, chapter 13, part 1 of the Revised Statutes, in relation to the assessment and collection of taxes."

"An act entitled 'An act to amend the charter of the Arctic Fire Insurance Company of New York, and to extend the powers and privileges thereof.'"

"An act authorizing the supervisor and justices of the peace of the town of Avon in the county of Livingston to convey to the Avon Cemetery Association certain lands situate in the village of Avon."

"An act in relation to the office of railroad commissioners in Ulster county."

"An act to release the interest of the people of the State of New York in certain real estate in the city of Troy, to Catharine Maginnis."

"An act to release to Mary Kinney the right, title and interest of the people of the State of New York, in and to certain real estate in the city of Utica."

"An act to release the interest of the people of the State of New York in certain real estate to Mary Jetton."

"An act to release the interest of the people of the State of New York in certain real estate in the city of Brooklyn, county of Kings, to Ellen Allman, widow of Otto Allman."

"An act to release the interest of the State in certain lands of which Michael Schmitts died seized, to Katharine Schmitts."

"An act to release the interest of the people of the State of New York in and to all moneys arising from the sale in partition of certain real estate premises, situated in the city of Buffalo, and to rents collected therefrom, to August Steinhoff, William Steinhoff and Philip Steinhoff."

"An act to amend section 3, article 2, title 6, chapter 6, part 1 of the Revised Statutes, in relation to the election of president and vice-president."

"An act to further amend an act entitled 'An act to incorporate the Masonic Hall Association in the western district of the city of Brooklyn,' passed April 20, 1866, as amended by an act entitled 'An act to amend an act entitled An act to incorporate the Masonic Hall Association in the western district of the city of Brooklyn,' passed April 20, 1866, passed April 28, 1870."

"An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,' passed June 5, 1875."

On motion of Mr. Alvord, at 10 o'clock and 22 minutes, the House adjourned.

## TUESDAY, APRIL 10, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Loomis.

The journal of yesterday was read and approved.

The Senate returned the Senate bill entitled "An act to amend chapter 164 of the Laws of 1875, entitled 'An act for the relief of the grandchildren of Samuel F. Pratt, late of the city of Buffalo, deceased,'" with a message informing that said bill having been recalled from the Governor, the vote upon the final passage of the same was reconsidered, and the bill passed, amended as follows:

Section 1, line 52, engrossed bill, strike out the word "of," and insert the word "by."

Mr. Speaker put the question whether the House would agree to reconsider the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Backenstose  
S. Baldwin

Dimond  
Fay

Langner  
Longyear

Santee  
Shanley

M. L. Baldwin	Filkin	Maher	Skillman
Berrigan	Fish	Maynard	Skinner
Billings	Flecke	McFalls	Sliter
Billington	Floyd-Jones	McGraw	Speaker
Bowen	Gallagher	McGroarty	Suydam
Bradley	Galvin	McKee	Tabor
Braman	J. G. Graham	Moller	Taylor
J. H. Brown	J. S. Graham	Morey	Thistlethwaite
Bulmer	Gulick	Noyes	Tighe
E. Case	Hamilton	Peck	Valentine
T. A. Case	Hammond	Piper	Waddell
Clapp	Herrick	Proper	Webb
Clark	Hodges	Rice	Weiant
Cowdin	Hogeboom	H. H. Rockwell	Welsh
Cozans	Humphrey	W. L. Rockwell	Wickes
Crowley	Keator	Ruggles	Williams
Davenport	King	Sanders	Winch
Dillmeier	Lang		

The amendment having been read,

Mr. Speaker then put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Backenstose	Dillmeier	Longyear	Santee
S. Baldwin	Dimond	Maher	Shannon
M. L. Baldwin	Fay	Marvin	Skillman
Berrigan	Filkin	Maynard	Skinner
Billings	Fish	McFalls	Sliter
Billington	Floyd-Jones	McGraw	Speaker
Bowen	Gallagher	McGroarty	Spicer
Braman	Galvin	McKee	Stephenson
J. H. Brown	J. G. Graham	Moller	Suydam
Bulmer	J. S. Graham	Moody	Tabor
Burns	Gulick	Moore	Taylor
E. Case	Hamilton	Morey	Thistlethwaite
T. A. Case	Hammond	Nachtmann	Tighe
Clapp	Herrick	Peck	Valentine
Clark	Hodges	Piper	Waddell
Corsa	Hogeboom	Potter	Webb
Coulter	Humphrey	Rice	Weiant
Cowdin	Keator	W. L. Rockwell	Welsh
Cozans	King	Ruggles	Williams
Crowley	Langner	Sanders	Winch
Davenport			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendment.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act to amend chapter 371 of the Laws of 1875, entitled 'An act to conform the charters of all savings banks, or institutions for savings,

to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision, and for the administration of their affairs," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to amend chapter 178 of the Laws of 1847, entitled 'An act to provide for the distribution of the annuity due to the Onondaga Indians,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on Indian affairs.

By unanimous consent,

Mr. Speaker introduced a bill entitled "An act to amend chapter 312 of the Laws of 1859, entitled 'An act to equalize the State tax among the several counties of this State,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Also, a petition on the same subject, which was read and referred to the same committee.

Leave of absence was granted to Messrs. Alvord and Barnes on account of illness.

Mr. Speaker presented two petitions of the German Independent Association and Stock Exchange of the city of New York, for the passage of the resolutions proposing amendments to the Constitution relating to the government of cities; which were committed to the committee of the whole.

Mr. Speaker presented the petition of William H. Post and others, in favor of the passage of the bill entitled "An act for the protection of Prospect Park;" which was committed to the committee of the whole.

Mr. J. G. Graham presented a remonstrance of citizens of Orange county, against the passage of a law relating to the manufacture of gunpowder; which was committed to the committee of the whole.

Mr. Valentine presented a petition of citizens of the town of Huron, for the repeal of charter of the Clyde and Rose plank-road; which was read and referred to the committee on roads and bridges.

Mr. E. Case presented six remonstrances of citizens of Oneida county, against sale or abandonment of Chenango canal; which were committed to the committee of the whole.

Messrs. Valentine and Billings presented two petitions relating to the subject of taxation; which were read and referred to the committee on ways and means.

Mr. Speaker presented a communication from the mayor of the city of New York, relating to a State assessor, resident of the city of New York; which was read and referred to the committee on ways and means.

The Senate returned the bill entitled as follows:

"An act making appropriations for the support of government."

*Ordered*, That the Clerk deliver said bill to the Governor.

Mr. Weiant offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of bill No. 264, entitled "An act to prevent the making and publication of false or deceptive statements in relation to the business of fire insurance," and that said bill be ordered to a third reading

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Humphrey offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of bill No. 417, entitled "An act to enable the presidents, directors and companies of the Catskill Mountain and Susquehanna turnpike roads to abandon parts of their roads, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Pursuant to 9th joint rule, Mr. Speaker announced the order of business, "third reading of bills."

The bill entitled "An act to incorporate the Whitehall Water-works Company, and to enable the village of Whitehall to contract with said company for the use of water," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 84 }  
} NOES 00 }

Those who voted in the affirmative, were

Backenstose	Davenport	Longyear	Skinner
Baker	Dillmeier	Maher	Sliter
S. Baldwin	Dimond	Marvin	Smith
M. L. Baldwin	Fay	Maynard	Speaker
Berrigan	Filkin	McFalls	Spicer
Billings	Floyd-Jones	McGraw	Stein
Billington	Gallagher	McGroarty	Stephenson
Bowen	Galvin	McKee	Suydam
Bradley	J. G. Graham	Moody	Tabor
J. H. Brown	J. S. Graham	Moore	Taylor
J. S. Brown	Gulick	Morey	Thistlethwaite
Bulmer	Hamilton	Nachtmann	Tighe
Burns	Hammond	Peck	Valentine
E. Case	Hepburn	Piper	Waddell
T. A. Case	Hodges	Potter	Webb
Clapp	Humphrey	Proper	Weiant
Clark	Husted	W. L. Rockwell	Welsh
Corsa	King	Ruggles	Wemple
Cowdin	Lang	Santee	Wickes
Cozans	Langbein	Shanley	Williams
Crowley	Langner	Skillman	Winch

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the common council of the city of Hudson to borrow five thousand dollars for maintenance of the water-works of said city," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Backenstose	Davenport	Humphrey	Santee
Baker	Dillmeier	King	Shanley
S. Baldwin	Dimond	Langbein	Skillman
M. L. Baldwin	Fay	Langner	Skinner
Berrigan	Filkin	Longyear	Speaker
Billings	Flecke	Maynard	Spicer
Billington	Floyd-Jones	McFalls	Stein
Bowen	Gallagher	McGraw	Stephenson
Bradley	Galvin	McGroarty	Strahan
J. H. Brown	Gere	McKee	Suydam
J. S. Brown	Gilbert	Moody	Taylor
Burns	J. G. Graham	Moore	Thistlethwaite
E. Case	Gulick	Morey	Tighe
T. A. Case	Hamilton	Nachtmann	Valentine
Clapp	Hammond	O'Hare	Waddell
Clark	Hepburn	Peck	Webb
Corsa	Herrick	Piper	Weiant
Coulter	Herbst	Potter	Wickes
Cowdin	Hodges	Proper	Williams
Cozans	Hogeboom	W. L. Rockwell	Winch
Crowley	Holahan	Sanders	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act authorizing and empowering the common council of the city of Rochester to construct a turn-table or swing-bridge over the Erie canal, in Allen street, in the city of Rochester," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }  
{ NOES 00 }

Those who voted in the affirmative, were

Backenstose	Dillmeier	Keator	Santee
S. Baldwin	Dimond	King	Shanley
Berrigan	Ecclesine	Lang	Shannon
Billings	Fay	Langbein	Skillman
Billington	Filkin	Langner	Skinner
Bowen	Fish	Longyear	Sliter
Bradley	Flecke	Lyon	Smith
Braman	Floyd-Jones	Maher	Speaker
Briek	Gallagher	Maynard	Spicer
J. H. Brown	Galvin	McFalls	Stein



J. S. Brown	Gere	McGraw	Stephenson
Bulmer	Gilbert	McGroarty	Strahan
Burns	J. G. Graham	McKee	Suydam
E. Case	J. S. Graham	Moody	Tabor
T. A. Case	Gulick	Moore	Taylor
Childs	Hamilton	Morey	Thistlethwaite
Clark	Hammond	O'Hare	Tighe
Corbett	Hayes	Peck	Valentine
Corsa	Hepburn	Piper	Webb
Coulter	Herrick	Potter	Weiant
Cowdin	Hodges	Proper	Welsh
Cozans	Hogeboom	H. H. Rockwell	Wickes
Crowley	Humphrey	W. L. Rockwell	Williams
Davenport	Husted	Sanders	Winch.

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the bill entitled "An act to amend and make additions to chapter 463 of the Laws of 1860, entitled 'An act to revise the charter of the city of Oswego, and the acts amendatory thereof,'" with a message informing that they had passed the same, with the following amendments:

Section 7, strike out all after the words "per annum," in line 3, down to and including the word "annum," in line 6. Add at the end of section the words "the office of detective police is hereby abolished."

Section 13, line 3, before the word "dollars," insert the words "and fifty." Add at the end of section, the following: "The annual compensation of the city surveyor shall not hereafter exceed the sum of six hundred dollars."

Section 14, strike out all after the word "exceed," in line 15, down to and including the word "insertion," in line 17, and insert in lieu thereof the words "the rates now fixed by law."

Add as section 16 the following:

§ 16. It shall be the duty of the board of commissioners of charity to report their expenditures to the common council monthly, which report shall be published with the proceedings of the said common council. The books and accounts of the board shall be open to the inspection of any elector of the city at all reasonable hours.

Change section 16 to section 17.

Change section 17 to section 18.

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Backenstose	Filkin	Langner	Skillman
Baker	Fish	Longyear	Skinner
S. Baldwin	Flecke	Marvin	Sliter
Berrigan	Floyd-Jones	Maynard	Smith
Billings	Gallagher	McFalls	Speaker

Bradley	Galvin	McGraw	Spicer
Braman	Grady	McGroarty	Stephenson
Brick	J. G. Graham	McKee	Strahan
J. H. Brown	J. S. Graham	Mitchell	Suydam
J. S. Brown	Gulick	Moody	Tabor
Bulmer	Hammond	Moore	Taylor
Burns	Hepburn	Morey	Thistlethwaite
E. Case	Hodges	O'Hare	Tighe
T. A. Case	Hogeboom	Peck	Valentine
Clapp	Holahan	Piper	Weiant
Clark	Humphrey	Potter	Welsh
Corbett	Husted	W. L. Rockwell	Wickes
Cowdin	King	Santee	Williams
Crowley	Lang	Shanley	Winch
Davenport	Langbein	Shannon	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Baker offered for the consideration of the House a privileged resolution, in the words following:

*Resolved* (if the Senate concur), That a respectful message be sent to his Excellency the Governor, requesting the return of Assembly bill No. 46, entitled "An act making appropriations for the payment of the principal and interest of the canal debt for the fiscal year commencing on the first day of October, 1877, and to provide means to pay the interest on the debt created under section 3 of article 7 of the Constitution, for the fiscal year commencing on the first day of October, 1878, and ending on the thirtieth day of September, 1878," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Leave of absence was granted to Mr. Noyes.

The bill entitled "An act to authorize the city of Rochester to acquire the title to land or other property for the use of water-works," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Backenstose	Crowley	Husted	Shanley
Baker	Davenport	Langbein	Shannon
S. Baldwin	Dillmeier	Langner	Sheldon
M. L. Baldwin	Dimond	Longyear	Skillman
Barnes	Ecclesine	Maher	Skinner
Benedict	Filkin	Maynard	Speaker
Billings	Fish	McFalls	Spicer
Billington	Floyd-Jones	McGroarty	Stein
Bradley	Gallagher	McKee	Stephenson
Braman	Galvin	Moody	Strahan
Brick	Grady	Moore	Suydam

J. H. Brown	J. G. Graham	Morey	Tabor
J. S. Brown	J. S. Graham	O'Hare	Taylor
Bulmer	Hamilton	Peck	Thistlethwaite
Burns	Hammond	Piper	Tighe
E. Case	Hepburn	Potter	Valentine
T. A. Case	Herbst	Proper	Waddell
Clapp	Hodges	W. L. Rockwell	Weiant
Clark	Hogeboom	Ruggles	Welsh
Corbett	Holahan	Sanders	Williams
Corsa	Humphrey	Santee	Winch
Cowdin			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act authorizing the commissioners of highways of the town of Glenville, Schoenectady county, to appropriate a portion of the moneys received for commutation of highway labor to the payment of interest of indebtedness of said town, incurred in the purchase and rebuilding of the Mohawk and Schoenectady Bridge Company's bridges, and for repairs of said bridges," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Backenstose	Corsa	King	Sanders
Baker	Cowdin	Langbein	Santee
S. Baldwin	Davenport	Langner	Shanley
M. L. Baldwin	Dillmeier	Maher	Shannon
Benedict	Dimond	Marvin	Skillman
Billings	Ecolesine	Maynard	Skinner
Billington	Filkin]	McFalls	Smith
Bowen	Fish	McGroarty	Spicer
Bradley	Floyd-Jones	McKee	Stephenson
Braman	Gallagher	Moody	Strahan
Brick	Galvin	Moore	Suydam
J. H. Brown	J. G. Graham	Morey	Tabor
J. S. Brown	J. S. Graham	O'Hare	Taylor
Bulmer	Hammond	Peck	Thistlethwaite
Burns	Hepburn	Piper	Tighe
E. Case	Herbst	Potter	Valentine
T. A. Case	Hodges	Proper	Welsh
Clapp	Hogeboom	W. L. Rockwell	Williams
Clark	Holahan	Rooney	Winch
Corbett	Husted	Ruggles	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the appointment of town constables in the county of Ontario," was read a third time.

Mr. Speaker put the question whether the House would agree to the

final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 5 }

Those who voted in the affirmative, were

Backenstose	Corsa	Keator	W. L. Rockwell
Baker	Coulter	King	Ruggles
S. Baldwin	Cowdin	Lang	Sanders
Benedict	Dillmeier	Langbein	Santee
Berrigan	Dimond	Langner	Shanley
Billings	Filkin	Longyear	Shannon
Billington	Fish	Maher	Skillman
Bowen	Flecke	Marvin	Sliter
Bradley	Floyd-Jones	Maynard	Smith
Braman	Gallagher	McFalls	Speaker
Brick	Galvin	McGraw	Spicer
J. H. Brown	J. G. Graham	McGroarty	Stephenson
J. S. Brown	J. S. Graham	McKee	Strahan
Bulmer	Gulick	Moller	Suydam
Burns	Hamilton	Moody	Taylor
E. Case	Hepburn	Morey	Thistlethwaite
T. A. Case	Herrick	O'Hare	Valentine
Childs	Hodges	Orr	Waddell
Clapp	Hogeboom	Peck	Weiant
Clark	Humphrey	Piper	Williams
Corbett	Husted		

Those who voted in the negative, were

M. L. Baldwin	Hammond	Moore	Tabor
Gere			

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the county clerk of the county of Chenango to certify defective records and enter certain orders and judgments, omitted to be entered by his predecessors in office," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present:

{ AYES 78 }  
{ NAYS 00 }

Those who voted in the affirmative, were

Backenstose	Cowdin	Langbein	Sanders
Baker	Crowley	Langner	Santee
S. Baldwin	Davenport	Longyear	Shanley
M. L. Baldwin	Dillmeier	Maynard	Shannon
Benedict	Dimond	McFalls	Skillman
Billings	Fay	McGraw	Skinner

Billington	Filkin	McGroarty	Smith
Bowen	Floyd-Jones	McKee	Speaker
Bradley	Galvin	Moody	Spicer
Braman	Gere	Moore	Strahan
Brick	J. G. Graham	Morey	Suydam
J. H. Brown	J. S. Graham	O'Hare	Tabor
J. S. Brown	Gulick	Orr	Taylor
Bulmer	Hamilton	Peck	Thistlethwaite
E. Case	Hammond	Piper	Waddell
T. A. Case	Hodges	Potter	Weiant
Clapp	Humphrey	W. L. Rockwell	Welsh
Clark	Husted	Rooney	Williams
Corsa	Keator	Ruggles	Winch
Coulter	King		

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide better facilities for the election of town officers in the town of Watervliet, Albany county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 74 }  
{ NOES 11 }

Those who voted in the affirmative, were

Backenstose	Corbett	Keator	Shannon
Baker	Corsa	King	Skillman
S. Baldwin	Cowdin	Langbein	Smith
M. L. Baldwin	Cozans	Langner	Speaker
Benedict	Davenport	Lyon	Spicer
Billings	Dillmeier	Marvin	Stein
Billington	Fay	McFalls	Stephenson
Bowen	Filkin	McGraw	Strahan
Bradley	Floyd-Jones	McGroarty	Suydam
Braman	Gallagher	McKee	Taylor
Brick	Gere	Morey	Thistlethwaite
J. H. Brown	J. G. Graham	O'Hare	Tighe
J. S. Brown	J. S. Graham	Orr	Valentine
Bulmer	Gulick	Potter	Waddell
Burns	Hamilton	W. L. Rockwell	Weiant
E. Case	Hammond	Ruggles	Wickes
T. A. Case	Hepburn	Sanders	Williams
Clapp	Herrick	Santee	Winch
Clark	Hodges		

Those who voted in the negative, were

Berrigan	Galvin	Moore	Rooney
Crowley	Hogeboom	Peck	Tabor
Dimond	Maher	Rice	

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 68 of the Laws of 1860, entitled 'An act to consolidate and amend the several acts relating to the village of Catskill,' passed March 14, 1860," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 00 }

Those who voted in the affirmative, were

Backenstose	Cozans	Langbein	Shanley
Baker	Davenport	Langner	Shannon
S. Baldwin	Dillmeier	Longyear	Skillman
M. L. Baldwin	Dimond	Lyon	Skinner
Billings	Filkin	Maher	Smith
Billington	Fish	Marvin	Speaker
Bowen	Flecke	McFalls	Spicer
Bradley	Floyd-Jones	McGraw	Stein
Braman	Gallagher	McGroarty	Stephenson
J. H. Brown	Galvin	McKee	Strahan
J. S. Brown	Grady	Moore	Suydam
Bulmer	J. G. Graham	Morey	Tabor
Burns	Gulick	O'Hare	Taylor
E. Case	Hammond	Orr	Thistlethwaite
T. A. Case	Hepburn	Peck	Valentine
Clapp	Hodges	Potter	Weiant
Clark	Hogeboom	W. L. Rockwell	Wickes
Corbett	Holahan	Ruggles	Williams
Corsa	Husted	Sanders	Winch
Cowdin	King	Santee	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. McFalls, and by unanimous consent, the committee of the whole was discharged from the further consideration of the Senate bill entitled "An act to amend section 4 of chapter 529 of the Laws of 1871, entitled 'An act to incorporate the Superintendents of the Fair Grounds of the town of Oswegatchie, passed April 15, 1871,' as amended by chapter 137 of the Laws of 1872," and said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Backenstose	Cowdin	Langner	Shannon
Baker	Cozans	Longyear	Skillman
S. Baldwin	Davenport	Maher	Skinner
M. L. Baldwin	Dillmeier	Maynard	Smith
Benedict	Dimond	McFalls	Speaker
Billings	Filkin	McGraw	Spicer

Billington	Flecke	McGroarty	Stein
Bowen	Floyd-Jones	McKee	Stephenson
Bradley	Gallagher	Moody	Strahan
Braman	Galvin	Moore	Suydam
Brick	Gere	Morey	Tabor
J. H. Brown	J. G. Graham	O'Hare	Taylor
J. S. Brown	J. S. Graham	Orr	Thistlethwaite
Bulmer	Hammond	Peck	Tighe
Burns	Hepburn	Potter	Weiant
E. Case	Hodges	W. L. Rockwell	Welsh
T. A. Case	Hogeboom	Rooney	Wemple
Clapp	Holahan	Ruggles	Wickes
Clark	Husted	Sanders	Williams
Corbett	King	Santee	Winch
Corsa	Langbein	Shanley	

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The bill entitled "An act to confirm the acts of the trustees of the Raquetteville Cemetery Association of North Potsdam, and to authorize the transfer of the remains of deceased persons buried in the grounds of such association to other grounds, and to authorize the sale and conveyance of the grounds abandoned," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Backenstose	Coulter	King	Sanders
Baker	Cowdin	Langbein	Santee
S. Baldwin	Davenport	Langner	Shanley
M. L. Baldwin	Dillmeier	Longyear	Shannon
Benedict	Dimond	Lyon	Skillman
Billings	Filkin	Maher	Skinner
Billington	Flecke	Marvin	Smith
Bowen	Floyd-Jones	Maynard	Speaker
Bradley	Gallagher	McFalls	Spicer
Braman	Galvin	McGraw	Stein
Brick	Gere	McGroarty	Stephenson
J. H. Brown	J. G. Graham	McKee	Strahan
J. S. Brown	J. S. Graham	Moller	Suydam
Bulmer	Gulick	Moody	Tabor
Burns	Hammond	Moore	Taylor
E. Case	Hepburn	Morey	Thistlethwaite
T. A. Case	Hodges	O'Hare	Valentine
Childs	Hogeboom	Orr	Waddell
Clapp	Holahan	W. L. Rockwell	Weiant
Clark	Humphrey	Rooney	Welsh
Corbett	Husted	Ruggles	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to enable the town of Newtown, in Queens county to consolidate a portion of its bonded debt and equalize the time of payment thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Backenstose	Cowdin	Husted	Santee
Baker	Davenport	King	Shanley
S. Baldwin	Dillmeier	Lang	Shannon
M. L. Baldwin	Dimond	Langbein	Skillman
Benedict	Filkin	Langner	Smith
Billings	Fish	Longyear	Speaker
Billington	Floyd-Jones	Lyon	Spicer
Bowen	Gallagher	Maher	Stein
Bradley	Galvin	McFalls	Stephenson
Braman	Gere	McGraw	Stone
Brick	Grady	McGroarty	Strahan
J. H. Brown	J. G. Graham	McKee	Suydam
J. S. Brown	Gulick	Moody	Tabor
Bulmer	Hamilton	Moore	Taylor
Burns	Hammond	Morey	Thistlethwaite
E. Case	Hepburn	O'Hare	Valentine
T. A. Case	Hodges	W. L. Rockwell	Weiant
Clapp	Hogeboom	Rooney	Wemple
Clark	Holahan	Ruggles	Wickes
Corbett	Humphrey	Sanders	Winch
Corsa			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to further amend an act entitled 'An act to incorporate the Masonic Hall Association in the Western District of the city of Brooklyn, passed April 20, 1866,' as amended by an act entitled 'An act to amend an act entitled An act to incorporate the Masonic Hall Association in the Western District of the city of Brooklyn, passed April 20, 1866,' passed April 20, 1870," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Backenstose	Crowley	Keator	Rooney
Baker	Davenport	Lang	Ruggles
S. Baldwin	Dillmeier	Langbein	Sanders
M. L. Baldwin	Dimond	Langner	Santee
Berrigan	Filkin	Maher	Shanley



Billings	Flecke	Marvin	Shannon
Billington	Floyd-Jones	Maynard	Skillman
Bowen	Gallagher	McFalls	Skinner
Bradley	Galvin	McGraw	Smith
Braman	Gere	McGroarty	Speaker
Brick	Gilbert	McKee	Spicer
J. H. Brown	J. G. Graham	Moody	Stephenson
J. S. Brown	J. S. Graham	Moore	Stone
Bulmer	Gulick	Morey	Strahan
E. Case	Hamilton	O'Hare	Suydam
T. A. Case	Hammond	Orr	Tabor
Clapp	Hepburn	Peck	Taylor
Clark	Hodges	Piper	Thistlethwaite
Corbett	Hogeboom	Potter	Webb
Corsa	Holahan	W. L. Rockwell	Weiant
Cowdin	Husted		

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act authorizing the supervisor and justices of the peace of the town of Avon in the county of Livingston, to convey to the Avon Cemetery Association certain lands situate in the village of Avon," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Backenstose	Cozans	King	Ruggles
Baker	Crowley	Langbein	Sanders
S. Baldwin	Davenport	Langner	Santee
M. L. Baldwin	Dillmeier	Lyon	Shanley
Benedict	Filkin	Maher	Skillman
Billings	Fish	Maynard	Skinner
Billington	Flecke	McFalls	Smith
Bowen	Floyd-Jones	McGraw	Speaker
Bradley	Gallagher	McGroarty	Spicer
Braman	Galvin	McKee	Stephenson
Brick	Gere	Moller	Strahan
J. H. Brown	Gilbert	Moody	Suydam
J. S. Brown	J. G. Graham	Moore	Tabor
Bulmer	J. S. Graham	Morey	Taylor
Burns	Gulick	O'Hare	Thistlethwaite
E. Case	Hammond	Peck	Valentine
T. A. Case	Herrick	Piper	Waddell
Clapp	Hodges	Potter	Webb
Clark	Hogeboom	W. L. Rockwell	Weiant
Corbett	Humphrey	Rooney	Welsh
Cowdin	Husted		

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Welsh, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend chapter 803 of the Laws of 1868, entitled 'An act to amend the acts to provide for the incorporation of religious societies, so far as the same relate to churches in connection with the Protestant Episcopal church,' passed March 9, 1868."

"An act to incorporate the library and reading room of the village of Port Chester, in Westchester county."

"An act for the more efficient protection of judgment creditors."

"An act to authorize the board of education of the city of Brooklyn to establish a home or school of reform for truant children, and to transfer the truant home of the city of Brooklyn to the care and custody of the said board of education."

"An act to provide for rebuilding a town hall in Mexico, Oswego county."

The bill entitled "An act in relation to the office of railroad commissioners in Ulster county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Backenstose	Corsa	Humphrey	Proper
Baker	Cowdin	Husted	W. L. Rockwell
S. Baldwin	Davenport	Keator	Rooney
M. L. Baldwin	Dillmeier	King	Sanders
Benedict	Dimond	Langbein	Santee
Berrigan	Filkin	Langner	Shanley
Billings	Fish	Longyear	Shannon
Billington	Flecke	Maher	Skillman
Bowen	Floyd-Jones	Marvin	Skinner
Bradley	Gallagher	Maynard	Smith
Braman	Galvin	McFalls	Spicer
Brick	Gere	McGraw	Strahan
J. H. Brown	Gilbert	McGroarty	Suydam
J. S. Brown	J. S. Graham	McKee	Tabor
Bulmer	Gulick	Moller	Taylor
Burns	Hamilton	Moody	Thistlethwaite
E. Case	Hammond	Morey	Waddell
T. A. Case	Herrick	O'Hare	Webb
Clapp	Hodges	Peck	Weiant
Clark	Hogeboom	Piper	Welsh
Corbett	Holahan	Potter	Wemple

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to release the interest of the people of the State of New York in certain real estate in the city of Troy, to Catharine Maginnia," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-

thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 91 }  
{ NOES 00 }

Those who voted in the affirmative, were

Backenstose	Cowdin	Humphrey	Rooney
Baker	Crowley	Husted	Ruggles
S. Baldwin	Davenport	Keator	Sanders
M. L. Baldwin	Dillmeier	King	Santee
Benedict	Dimond	Langbein	Shannon
Berrigan	Fay	Langner	Skillman
Billings	Fish	Longyear	Skinner
Billington	Flecke	Lyon	Smith
Bowen	Floyd-Jones	Maher	Speaker
Bradley	Gallagher	Marvin	Spicer
Braman	Galvin	Maynard	Stein
Brick	Gere	McGraw	Stephenson
J. H. Brown	Gilbert	McKee	Strahan
J. S. Brown	Grady	Moller	Suydam
Bulmer	J. G. Graham	Moody	Tabor
Burns	J. S. Graham	Moore	Taylor
E. Case	Hamilton	Morey	Waddell
T. A. Case	Hammond	Peck	Webb
Clapp	Hepburn	Piper	Weiant
Clark	Herrick	Potter	Welsh
Corbett	Hodges	Proper	Wemple
Corsa	Hogeboom	Purdy	Williams
Coulter	Holahan	W. L. Rockwell	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to release to Mary Kinney, the right, title and interest of the people of the State of New York in and to certain real estate in the city of Utica," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Backenstose	Cowdin	Humphrey	Ruggles
Baker	Crowley	Husted	Sanders
S. Baldwin	Davenport	Keator	Santee
M. L. Baldwin	Dillmeier	King	Shanley
Benedict	Dimond	Langbein	Shannon
Berrigan	Fay	Langner	Skinner
Billings	Filkin	Longyear	Smith
Billington	Fish	Maher	Speaker
Bowen	Flecke	Maynard	Spicer
Bradley	Floyd-Jones	McFalls	Stephenson
Braman	Gallagher	McGraw	Strahan
Brick	Galvin	McKee	Suydam

J. H. Brown	Gere	Moller	Tabor
J. S. Brown	Gilbert	Moody	Taylor
Bulmer	Grady	Moore	Thistlethwaite
Burns	J. S. Graham	Morey	Tighe
E. Case	Gulick	O'Hare	Webb
T. A. Case	Hammond	Peck	Weiant
Clapp	Herrick	Potter	Welsh
Clark	Hodges	Proper	Wemple
Corbett	Hogeboom	W. L. Rockwell	Wickes
Corsa	Holahan	Rooney	Winch
Coulter			

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to release the interest of the people of the State of New York in certain real estate to Mary Jetton," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Backenstose	Crowley	King	Shanley
Baker	Davenport	Langbein	Shannon
S. Baldwin	Dillmeier	Langner	Skillman
M. L. Baldwin	Dimond	Longyear	Skinner
Benedict	Fay	Lyon	Smith
Berrigan	Filkin	Maher	Speaker
Billings	Fish	Marvin	Spicer
Billington	Flecke	Maynard	Stein
Bowen	Floyd-Jones	McGraw	Stephenson
Bradley	Gallagher	McKee	Strahan
Braman	Galvin	Moller	Suydam
Brick	Gere	Moody	Tabor
J. H. Brown	J. S. Graham	Moore	Taylor
J. S. Brown	Gulick	Morey	Thistlethwaite
Bulmer	Hammond	Peck	Tighe
Burns	Hepburn	Piper	Waddell
E. Case	Herrick	Potter	Webb
T. A. Case	Hodges	W. L. Rockwell	Weiant
Clapp	Hogeboom	Rooney	Welsh
Clark	Holahan	Ruggles	Wemple
Corbett	Humphrey	Sanders	Williams
Corsa	Husted	Santee	Winch
Coulter	Keator		

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Moody, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill entitled "An act to incorporate Crystal Hose Company No. 1 of the city of Binghamton, New York," and the same was ordered to a third reading.

The bill entitled "An act to release the interest of the people of the State of New York in certain real estate in the city of Brooklyn, county of Kings, to Ellen Allman, widow of Otto Allman," being announced for a third reading,

Mr. Bradley moved that said bill be recommitted to the committee on petitions of aliens, for the purpose of amendment, the same retaining its place on the order of third reading.

Mr. Tighe moved to amend by striking out the words "committee on petitions of aliens" and inserting in lieu thereof the words "sub-committee of the whole."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Tighe, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Bradley, and it was determined in the affirmative.

On motion of Mr. Gere, and by unanimous consent, the committee of the whole was discharged from the further consideration of the Senate bill entitled "An act to repeal chapter 404 of the Laws of 1873, entitled 'An act for the relief of the inhabitants of union free school district, No. 2, in the town of Newark Valley, in the county of Tioga, and to restore union free school district, No. 2, in the town of Newark Valley, as it existed before the passage of said act,' " and said bill was ordered to a third reading.

The bill entitled "An act to release the interest of the State in certain lands of which Michael Schmitts died seized, to Katharine Schmitts," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 90 }  
{ NOES 00 }

Those who voted in the affirmative, were

Backenstose	Cowdin	Husted	Ruggles
Baker	Crowley	Keator	Sanders
S. Baldwin	Davenport	King	Santee
M. L. Baldwin	Dillmeier	Lang	Shanley
Benedict	Dimond	Langbein	Shannon
Billings	Fay	Langner	Smith
Billington	Filkin	Longyear	Speaker
Bowen	Fish	Lyon	Spicer
Bradley	Flecke	Maher	Stein
Braman	Floyd-Jones	Maynard	Stephenson
Brick	Gallagher	McFalls	Strahan
Brill	Galvin	McGraw	Snydam
J. H. Brown	Gere	McKee	Tabor
J. S. Brown	J. G. Graham	Moller	Taylor
Bulmer	J. S. Graham	Moody	Thistlethwaite
Burns	Gulick	Moore	Tighe
E. Case	Hamilton	Morey	Waddell
T. A. Case	Hammond	Peck	Webb
Clapp	Hepburn	Proper	Wemple
Clark	Hodges	Purdy	Wickes

Corbett	Hogeboom	W. L. Rockwell	Williams
Corsa	Holahan	Rooney	Winch
Coulter	Humphrey		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to release the interest of the people of the State of New York in and to all moneys arising from the sale in partition of certain real estate premises, situate in the city of Buffalo, and to rents collected therefrom, to August Steinhoff, William Steinhoff and Philip Steinhoff," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 92 }  
{ NOES 00 }

Those who voted in the affirmative, were

Backenstose	Fay	Longyear	Shannon
Baker	Fish	Lyon	Skillman
S. Baldwin	Flecke	Maher	Skinner
M. L. Baldwin	Floyd-Jones	Marvin	Sliter
Billings	Galvin	Maynard	Smith
Billington	Gere	McFalls	Speaker
Bowen	Grady	McGraw	Spicer
Braman	J. G. Graham	McGroarty	Spinola
Brick	J. S. Graham	McKee	Stein
J. H. Brown	Gulick	Moody	Strahan
J. S. Brown	Hamilton	Moore	Suydam
E. Case	Hammond	Morey	Tabor
T. A. Case	Hayes	Nachtmann	Taylor
Childs	Healy	O'Hare	Thistlethwaite
Clapp	Herrick	Peck	Tighe
Clark	Hodges	Proper	Valentine
Corsa	Humphrey	Purdy	Waddell
Coulter	Husted	Rice	Webb
Cowdin	Keator	W. L. Rockwell	Weiant
Cozans	King	Rooney	Welsh
Davenport	Lang	Ruggles	Wemple
Dillmeier	Langbein	Sanders	Williams
Dimond	Langner	Santee	Winch

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the bill entitled "An act to authorize the trustees under the will of James Cunningham to convey to the city of Brooklyn certain lands and hereditaments at the foot of Noble street, in said city," with a message informing that they had concurred in the amendments of the Assembly thereto.

*Ordered*, That the Clerk return said bill to the Senate.

The bill entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,' passed June 5, 1875," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 5 }

Those who voted in the affirmative, were

Backenstose	Corbett	Hogeboom	Sanders
Baker	Corsa	Humphrey	Santee
S. Baldwin	Coulter	Husted	Shannon
M. L. Baldwin	Cowdin	Keator	Skinner
Benedict	Cozans	King	Sliter
Berrigan	Dimond	Lang	Smith
Billings	Fay	Langbein	Speaker
Billington	Filkin	Langner	Spicer
Bissell	Fish	Longyear	Tabor
Bowen	Floyd-Jones	Marvin	Taylor
Braman	Galvin	Maynard	Thistlethwaite
Brick	Grady	McFalls	Tighe
J. H. Brown	J. G. Graham	McGraw	Valentine
J. S. Brown	J. S. Graham	McKee	Waddell
Bulmer	Gulick	Mitchell	Webb
E. Case	Hamilton	Moody	Welsh
T. A. Case	Hammond	Morey	Wemple
Childs	Hepburn	Peck	Wickes
Clapp	Herrick	Ruggles	Winch
Clark	Hodges	Sager	

Those who voted in the negative, were

Healy	Moore	Proper	Suydam
McGroarty			

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Mitchell in the chair.

The bill entitled "An act to amend an act entitled 'An act to incorporate the village of Lima, Livingston county,' passed April 25, 1867," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }  
{ NOES 00 }

Those who voted in the affirmative, were

Backenstose	Cozans	Langbein	Shannon
Baker	Crowley	Langner	Skillman
S. Baldwin	Davenport	Longyear	Skinner
M. L. Baldwin	Dimond	Lyon	Sliter
Billings	Fay	Maher	Smith
Bissell	Filkin	Marvin	Speaker

Bowen	Fish	Maynard	Spicer
Braman	Grady	McGraw	Stephenson
Brick	J. G. Graham	McGroarty	Strahan
J. H. Brown	J. S. Graham	McKee	Tabor
J. S. Brown	Gulick	Mitchell	Taylor
Bulmer	Hamilton	Moody	Thistlethwaite
E. Case	Hammond	Moore	Tighe
T. A. Case	Herrick	Morey	Valentine
Childs	Hodges	Peck	Waddell
Clapp	Hogeboom	Proper	Webb
Clark	Humphrey	W. L. Rockwell	Weiant
Corbett	Husted	Ruggles	Wemple
Corsa	Keator	Sager	Williams
Coulter	King	Sanders	Winch
Cowdin	Lang	Santee	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 803 of the Laws of 1868, entitled 'An act to amend the acts to provide for the incorporation of religious societies, so far as the same relate to churches in connection with the Protestant Episcopal church,' passed March 9, 1868," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 73 }  
{ NOES 1 }

Those who voted in the affirmative, were

Backenstose	Cowdin	Langner	Skillman
Baker	Crowley	Longyear	Skinner
S. Baldwin	Davenport	Lyon	Sliter
M. L. Baldwin	Dillmeier	Maher	Smith
Benedict	Dimond	Marvin	Spicer
Berrigan	Floyd-Jones	McFalls	Stephenson
Billings	Galvin	McGraw	Suydam
Bowen	J. G. Graham	McKee	Tabor
Bradley	Gulick	Mitchell	Taylor
Braman	Hamilton	Moody	Thistlethwaite
Brick	Hammond	Moore	Tighe
E. Case	Hepburn	Morey	Valentine
T. A. Case	Hodges	Orr	Webb
Childs	Humphrey	Proper	Weiant
Clapp	Husted	Ruggles	Welsh
Clark	Keator	Sanders	Wickes
Corbett	King	Santee	Williams
Corsa	Langbein	Shannon	Winch
Coulter			

For the negative,

Fish

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.



The Senate bill entitled "An act to amend chapter 529 of the Laws of 1868, entitled 'An act to incorporate the Rhinebeck Gas Company,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 76 }  
{ NOES 00 }

Those who voted in the affirmative, were

Backenstose	Cozans	King	Sanders
Baker	Crowley	Langbein	Shannon
S. Baldwin	Davenport	Langner	Skillman
M. L. Baldwin	Dillmeier	Longyear	Skinner
Benedict	Fay	Lyon	Spicer
Bowen	Filkin	Marvin	Stephenson
Braman	Fish	McFalls	Tabor
Brick	Floyd-Jones	McGraw	Taylor
J. H. Brown	Galvin	McGroarty	Thistlethwaite
J. S. Brown	J. G. Graham	Mitchell	Tighe
Bulmer	J. S. Graham	Moody	Valentine
E. Case	Gulick	Moore	Waddell
T. A. Case	Hamilton	Neilson	Webb
Childs	Hammond	Orr	Weiant
Clark	Hepburn	Peck	Welsh
Corbett	Hodges	Potter	Wemple
Corsa	Humphrey	Proper	Wickes
Coulter	Husted	W. L. Rockwell	Williams
Cowdin	Keator	Ruggles	Winch

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The bill entitled "An act in relation to the improvement of the Racket river and of the hydraulic power thereon, and to check freshets therein," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Backenstose	Corsa	Husted	Rooney
Baker	Cowdin	Keator	Ruggles
S. Baldwin	Cozans	King	Sanders
M. L. Baldwin	Crowley	Langbein	Santee
Benedict	Davenport	Langner	Shanley
Berrigan	Dillmeier	Lyon	Shannon
Billings	Fay	Marvin	Skinner
Billington	Filkin	Maynard	Sliter
Bowen	Fish	McFalls	Smith
Bradley	Flecke	McGraw	Spicer

Braman	Gallagher	McGroarty	Stephenson
Brick	Galvin	McKee	Suydam
J. H. Brown	Gere	Mitchell	Taylor
Bulmer	Gilbert	Moody	Thistlethwaite
Burns	J. S. Graham	Moore	Valentine
E. Case	Gulick	Morey	Webb
T. A. Case	Hammond	O'Hare	Weiant
Childs	Hepburn	Potter	Welsh
Clapp	Hodges	Proper	Wemple
Clark	Holahan	W. L. Rockwell	Winch
Corbett	Humphrey		

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to incorporate the Union Stock Yard and Market Company,' passed May 7, 1872," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }  
{ NOES 00 }

Those who voted in the affirmative, were

Backenstose	Crowley	Keator	Rooney
Baker	Davenport	King	Ruggles
S. Baldwin	Dillmeier	Langbein	Sanders
M. L. Baldwin	Dimond	Langner	Santee
Benedict	Fay	Longyear	Shannon
Berrigan	Filkin	Lyon	Skinner
Billington	Fish	Maher	Smith
Bowen	Flecke	Marvin	Spicer
Bradley	Floyd-Jones	McFalls	Stein
Braman	Gallagher	McGraw	Stephenson
Brick	Galvin	McGroarty	Strahan
J. H. Brown	Gere	McKee	Suydam
Bulmer	J. S. Graham	Mitchell	Tabor
Burns	Gulick	Moody	Taylor
E. Case	Hamilton	Moore	Thistlethwaite
T. A. Case	Hammond	Neilson	Tighe
Clapp	Hepburn	O'Hare	Webb
Clark	Hodges	Peck	Weiant
Corbett	Holahan	Potter	Welsh
Corsa	Humphrey	Proper	Williams
Cowdin	Husted	W. L. Rockwell	Winch
Cozans			

*Ordered,* That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 4, title 2, chapter 13, part of the Revised Statutes, in relation to the assessment and collection of taxes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 64 }  
{ NOES 22 }

Those who voted in the affirmative, were

Backenstose	Cozans	Keator	Purdy
Berrigan	Crowley	King	W. L. Rockwell
Billington	Davenport	Lang	Ruggles
Bradley	Dillmeier	Lyon	Santee
Braman	Filkin	Maher	Shanley
Brick	Flecke	Marvin	Shannon
J. H. Brown	Floyd-Jones	Maynard	Skillman
Bulmer	Galvin	McFalls	Speaker
Burns	Gere	McGraw	Spinola
E. Case	Grady	McGroarty	Stephenson
Childs	J. S. Graham	Mitchell	Taylor
Clark	Gulick	Moller	Thistlethwaite
Corbett	Hayes	Moody	Tighe
Corsa	Herrick	O'Hare	Webb
Coulter	Hodges	Orr	Welsh
Cowdin	Humphrey	Proper	Williams

Those who voted in the negative, were

Baker	J. G. Graham	Neilson	Suydam
M. L. Baldwin	Hammond	Peck	Valentine
Benedict	Husted	Potter	Waddell
T. A. Case	Langbein	Sanders	Wickes
Clapp	McKee	Skinner	Winch
Fay	Moore		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. McGroarty moved to reconsider the vote by which the bill entitled "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,' passed June 5, 1875," was passed and that that motion lay on the table.

Mr. Speaker put the question whether the House would agree to said motion to lay on the table, and it was determined in the affirmative.

The bill entitled "An act to amend the charter of the Arctic Fire Insurance Company of New York, and to extend the powers and privileges thereof," being announced for a third reading,

Mr. Husted moved to substitute the printed bill for the engrossed bill in the words following:

AN ACT entitled An act to amend the charter of the Arctic Fire Insurance Company of New York, and to extend the powers and privileges thereof.

*The People of the State of New York represented in Senate and Assembly, do enact as follows:*

SECTION 1. The second section of article one of the amended charter of the Arctic Fire Insurance Company, on file in the Insurance Department, is hereby amended to read as follows:

§ 2. The name of this company shall be "The Arctic Insurance Company," and the principal office for the transaction of its business shall be located in the city of New York.

§ 2. It shall be lawful for the said company, in addition to the powers and privileges already possessed by it, to transact the business of insurance as specified and enumerated in chapter three hundred and eight; Laws of eighteen hundred and forty-nine, in the first and second subdivisions of the act entitled "An act to provide for the incorporation of insurance companies," passed April ten, eighteen hundred and forty-nine, which reads as follows:

1. To make insurance upon vessels, freight, goods, wares, merchandise, specie, bullion, jewels, profits, commissions, bank notes, bills of exchange and other evidences of debt, bottomry and respondentia interests, and to make all and every insurance appertaining to or connected with marine risks and risks of transportation and navigation.

2. To make insurance on dwellings, houses, stores, and all kinds of buildings, and upon household furniture, merchandise and other property against loss or damage by fire, and the risks of inland navigation and transportation.

§ 3. Nothing in this act contained shall in any way impair any right or liability of the said corporation in relation to any insurance or contract heretofore made.

§ 4. This act shall take effect immediately.

Mr. Spinola moved to recommit said bill to the committee on insurance with instructions to amend, the same retaining its place on order of third reading.

Mr. Spinola moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Spinola, and it was determined in the affirmative.

The Senate bill entitled "An act to amend an act entitled 'An act amending chapter 837 of the Laws of 1868, and chapter 623, Laws of 1869, in reference to the laying out, opening and continuing of Bushwick avenue, in the town of New Lots, Kings county,' passed May 21, 1873," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 77  
} NOES 00

Those who voted in the affirmative, were

Backenstose	Dillmeier	Lyon	Santee
Baker	Dimond	Maher	Shanley
S. Baldwin	Fish	Marvin	Shannon
M. L. Baldwin	Flecke	Maynard	Skillman
Benedict	Floyd-Jones	McFalls	Skinner
Billings	Galvin	McGraw	Sliter
Braman	Grady	McGroarty	Spicer
Brick	J. S. Graham	McKee	Stephenson
J. S. Brown	Gulick	Mitchell	Strahan

Bulmer	Hammond	Moody	Suydam
E. Case	Healy	Morey	Tabor
T. A. Case	Hodges	O'Hare	Taylor
Clapp	Hogeboom	Orr	Thistlethwaite
Clark	Humphrey	Peck	Tighe
Corbett	Keator	Potter	Valentine
Corsa	King	W. L. Rockwell	Webb
Coulter	Langbein	Ruggles	Weiant
Cowdin	Langner	Sager	Wickes
Cozans	Longyear	Sanders	Winch
Crowley			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The Senate bill entitled "An act to amend chapter 426 of the Laws of 1868, entitled 'An act relative to the lands devised by Richard Ray, deceased,' passed April 28, 1868," was read third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Baker	Corsa	Langbein	Sanders
S. Baldwin	Cowdin	Longyear	Santee
M. L. Baldwin	Crowley	Lyon	Shanley
Benedict	Dillmeier	Maher	Shannon
Berrigan	Dimond	Marvin	Skillman
Billings	Fish	McFalls	Skinner
Billington	Flecke	McGraw	Spicer
Bissell	Floyd-Jones	McGroarty	Stephenson
Bowen	Gallagher	McKee	Strahan
Bradley	Gere	Mitchell	Suydam
Braman	J. S. Graham	Moller	Tabor
Brick	Gulick	Moody	Taylor
J. S. Brown	Hamilton	Moore	Thistlethwaite
Bulmer	Hammond	Morey	Valentine
Burns	Hayes	Nachtmann	Webb
E. Case	Hodges	O'Hare	Welsh
T. A. Case	Hogeboom	Peck	Wemple
Childs	Humphrey	Potter	Wickes
Clapp	Husted	W. L. Rockwell	Williams
Clark	King	Sager	Winch
Corbett			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

On motion of Mr. Bissell, and by unanimous consent, the bill entitled "An act to authorize the common council of the city of Lockport, to raise by tax and disburse money in finishing Washington hose carriage house in said city," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative,

a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }  
{ NOES 2 }

Those who voted in the affirmative, were

Baker	Dimond	Lyon	Ruggles]
S. Baldwin	Fay	Marvin	Sager
M. L. Baldwin	Fish	Maynard	Sanders
Benedict	Flecke	McFalls	Santee
Berrigan	Floyd-Jones	McGraw	Shannon
Billings	Gallagher	McGroarty	Skillnan
Bissell	Gere	McKee	Skinner
Bradley	Grady	Mitchell	Spicer
Braman	Gulick	Moody	Stein
Brick	Hamilton	Moore	Suydam
Bulmer	Hammond	Morey	Tabor
E. Case	Hodges	Nachtmann	Thistlethwaite
T. A. Case	Hogeboom	Neilson	Tighe
Clapp	Humphrey	O'Hare	Valentine
Corbett	Keator	Orr	Webb
Cowdin	King	Peck	Weiant
Cozans	Lang	Piper	Wickes
Crowley	Langbein	Potter	Williams
Davenport	Langner	Purdy	Winch
Dillmeier	Longyear	W. L. Rookwell	

Those who voted in the negative, were

Billington      Coulter

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate the Library and Reading Room of the village of Port Chester, in Westchester county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Baker	Davenport	Maynard	Santee
S. Baldwin	Dillmeier	McFalls	Shanley
M. L. Baldwin	Dimond	McGraw	Shannon
Benedict	Fish	McGroarty	Sliter
Berrigan	Flecke	McKee	Smith
Billings	Floyd-Jones	Mitchell	Spicer
Billington	Gallagher	Moller	Stein
Bissell	Galvin	Moody	Suydam
Bowen	Gere	Moore	Tabor
Bradley	J. G. Graham	Morey	Taylor
Braman	J. S. Graham	Nachtmann	Thistlethwaite

Brick	Hamilton	Neilson	Tighe
Bulmer	Hammond	O'Hare	Valentine
Burns	Hodges	Peck	Waddell
E. Case	Humphrey	Piper	Winch
T. A. Case	Keator	Proper	Weiant
Clapp	King	W. L. Rockwell	Wemple
Corbett	Lang	Rooney	Wickes
Cowdin	Langner	Sager	Williams
Cozans	Longyear	Sanders	Winch
Crowley	Marvin		

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Bradley gave notice that he would move a call of the House to-morrow morning immediately after reading of the journal.

Mr. Spinola moved to lay the pending order of business on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Speaker announced the order of business, "general orders."

Mr. Spinola moved to lay said order of business on the table for the purpose of taking up introduction of bills and reports of standing committees.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Tabor introduced a bill entitled "An act for the relief of James Murphy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. McFalls introduced a bill entitled "An act to amend an act to authorize the erection of a building for the use of the town of Oswegatchie, in the village of Ogdensburgh, in the county of St. Lawrence, being chapter 88 of the Laws of 1858," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Purdy introduced a bill entitled "An act to regulate the manufacture, storage and transportation of explosives within this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Also, a petition on the same subject, which was read and referred to the same committee.

Also, a bill entitled "An act to amend chapter 432 of the Laws of 1876, entitled 'An act to provide for a further supply of pure and wholesome water for the Twenty-third and Twenty-fourth wards of the city of New York,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a petition on the same subject, which was read and referred to the same committee.

Also, a bill entitled "An act to provide for a further supply of pure and wholesome water for the Twenty-third and Twenty-fourth wards of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to amend an act entitled 'An act to

re-enact and amend an act to provide for the annexation of the towns of Morrisania, West Farms and Kingsbridge, in the county of Westchester, to the city and county of New York,' passed May 23, 1873, passed May 6, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a petition on the same subject, which was read and referred to the same committee.

Mr. Herrick introduced a bill entitled "An act to confirm, reduce and levy a certain assessment for excavating, filling and forming Swan street from Elm to Morton street, in the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a petition on the same subject, which was read and referred to the same committee.

Mr. Winch presented a petition of citizens of Ontario county in favor of a prohibitory liquor law; which was read and referred to the committee on internal affairs.

Mr. W. L. Rockwell presented a petition of citizens of Monroe county for reduction of salaries of county judge and surrogate of said county; which was read and referred to the committee on the judiciary.

Messrs. Winch and Shannon presented two petitions relating to assessment and taxation; which were read and referred to the committee on ways and means.

Mr. Hayes presented a petition of workingmen of the city of New York, relating to improvement of streets, etc., in said city; which was read and referred to the committee on the judiciary.

Mr. Skinner presented a petition of citizens of Jefferson county for a law authorizing the Governor to appoint game constables; which was read and referred to the committee on ways and means.

Also, a petition of citizens of Antwerp, Jefferson county, asking that Rev. O. H. Warren be elected Regent of the University in place of Rev. A. C. George, resigned; which was read and laid on the table.

Mr. Williams presented a petition of manufacturers and dealers in butter in Chautauqua county for a law prohibiting imitations or adulterations of butter and cheese; which was read and referred to the committee of the whole.

Mr. McGroarty presented a remonstrance against the act to improve Dyker meadow, in the town of New Utrecht; which was read and referred to the sub-committee of the whole.

Mr. Shannon presented a petition of citizens of Cattaraugus county, requesting that Rev. O. H. Warren, of Syracuse, be appointed Regent in place of A. C. George, resigned; which was read and laid on the table.

Mr. Hayes presented a petition of tax-payers of the city of New York for the passage of a bill entitled "An act to regulate the fare of railroads in the city of New York;" which was read and referred to the committee on railroads.

Also, a petition of the New York Workingmen's Protective Union, favoring the removal of the Capitol to New York; which was read and referred to the committee of the whole.

Mr. Bowen, from the committee on internal affairs, to which was referred the bill introduced by Mr. Stone, Int. No. 884, entitled "An act to provide for the labor assessed by the commissioners of highways of the town of Camden, Oneida county," reported in favor of the passage



of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. J. S. Graham, and by unanimous consent, the bill entitled "An act to amend chapter 319 of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies;'" also, "An act to amend section 3 of chapter 564 of the Laws of 1875, entitled 'An act to amend chapter 122 of the Laws of 1851, entitled An act for the incorporation of building, mutual, loan and accumulating fund associations,'" passed June 9, 1875," were referred to the sub-committee of the whole.

On motion of Mr. Fish, the House took a recess until 7½ o'clock.

### HALF-PAST SEVEN O'CLOCK P. M.

The House again met.

By unanimous consent,

Mr. Nachtmann introduced a bill entitled "An act to amend an act entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors,' passed April 16, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent,

Mr. Humphrey introduced a bill entitled "An act in relation to the collection of taxes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

A message from the Senate was received and read informing of concurrence in the passage of the bills entitled as follows:

"An act to enable Clinton Liberal Institute to change its location."

"An act in relation to the Superintendent of State prisons, and for their more efficient and economical management."

"An act directing the Brooklyn Trust Company to pay over to the supervisor of the town of New Lots certain moneys deposited with them by the commissioners for the laying out, grading and improving Atlantic avenue, in the town of New Lots, in the county of Kings."

*Ordered*, That the Clerk deliver said bills to the Governor.

A message from the Senate was received and read, informing of concurrence in the passage of the resolution relating to printing 2,500 extra copies of the twenty-third annual report of the Superintendent of Public Instruction; also, relating to printing 2,400 extra copies of the report of the State Engineer and Surveyor on Railroads; also, relating to the printing of 3,500 copies of the annual report of the Superintendent of the Insurance Department; also, relating to the printing of 1,000 extra copies of the report of the State Engineer and Surveyor on Canals.

Also, the resolution recalling from the Governor bill No. 46, providing for payment of principal and interest of the canal debt.

*Ordered*, That the Clerk deliver said resolution to the Governor.

Mr. Speaker directed the Clerk to call the roll and ascertain if a quorum was present, when the following members answered to their names:

Baker	Flecke	Longyear	Skinner
S. Baldwin	Floyd-Jones	Lyon	Speaker
Berrigan	Gallagher	Maynard	Spicer
Billings	Galvin	McFalls	Stein
Bissell	Gere	McGraw	Stephenson
Bradley	Gilbert	McKee	Strahan
Braman	Grady	Moller	Snydam
J. H. Brown	J. S. Graham	Moore	Taylor
E. Case	Hamilton	Morey	Thistlethwaite
T. A. Case	Hammond	Nachtmann	Valentine
Corbett	Hodges	Potter	Webb
Corsa	Humphrey	Proper	Weiant
Coulter	Husted	Ruggles	Welsh
Cowdin	Keator	Sanders	Wemple
Dillmeier	King	Santee	Wickes
Dimond	Langbein	Shannon	Williams
Ecclesine	Langner	Skillman	Winch
Fish			

00

A quorum having answered to their names.

Leave of absence was granted to Mr Sheldon.

Mr. Smith offered for the consideration of the House a privileged resolution, in the words following:

*Resolved*, That bill No. 246, entitled "An act to amend chapter 617 of the Laws of 1873, entitled 'An act regulating the deposit of securities by plate-glass insurance companies,'" be considered in the next committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. McKee offered for the consideration of the House a privileged resolution, in the words following:

*Resolved*, That bill No. 280, general order 288, entitled "An act to amend chapter 371 of the Laws of 1875, entitled 'An act to conform the charters of all savings banks or institutions for savings to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision and for the administration of their affairs,'" be referred to the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. J. G. Graham presented the third preliminary report of testimony taken before the committee on insurance relating to life insurance companies, signed by Messrs. James G. Graham, Elliott C. Cowdin, James W. Husted, E. C. Moody, James E. Coulter, Elbert Floyd-Jones, L. C. Lang, George W. Weiant, Charles R. Skinner; which was laid on the table.

(See Doc. No. 108.)

Mr. Stephenson offered for the consideration of the House a resolution, in the words following:

*Resolved*, That bill No. 232, entitled "An act to amend subdivision 1 of section 9 of article 2, title 4, chapter 6, part 1 of the Revised Statutes, in relation to elections and ballots," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said

resolution, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

On motion of Mr. Skinner, and by unanimous consent, the committee of the whole were discharged from further consideration of bill No. 878, entitled "An act to authorize the trustees of the Baptist church and society of Hoosick, New York, to remove the dead from their burying ground to the cemetery, and to authorize them to sell their burying ground," and that the same be ordered to a third reading.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to prevent agricultural societies, which offer premiums for trials of speed between horses, from receiving money appropriated to agricultural societies by this State."

"An act to amend chapter 371 of the Laws of 1875, entitled 'An act to conform the charters of all savings banks or institutions for savings to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision, and for the administration of their affairs.'"

"An act to amend chapter 617 of the Laws of 1873, entitled 'An act regulating the deposit of securities by plate-glass insurance companies.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Purdy from said committee, reported progress on said first mentioned bill, and asked and obtained leave to sit again.

Mr. Hodges moved that the committee of the whole be discharged from the further consideration of said bill and that the same be ordered to a third reading.

Mr. Hodges moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Hodges, and it was determined in the negative.

} AYES 35 }  
} NOES 45 }

Those who voted in the affirmative, were

Backenstose	Hayes	Moore	Stein
Billings	Hodges	Morey	Stephenson
J. S. Brown	Humphrey	O'Hare	Taylor
Corsa	Husted	Peck	Thistlethwaite
Dillmeier	Keator	Purdy	Valentine
Fish	Langbein	Santee	Welsh
Flecke	Maynard	Skinner	Wickes
Gilbert	McKee	Smith	Winch
Gulick	Moody	Spicer	

Those who voted in the negative, were

Baker	Davenport	Herbst	Rooney
Benedict	Dimond	Hogeboom	Ruggles
Bissell	Floyd-Jones	Holahan	Sanders
Braman	Gallagher	Langner	Shanley
Brill	Galvin	Longyear	Strahan
J. H. Brown	Grady	Lyon	Suydam
Bulmer	J. G. Graham	Marvin	Tabor
Burns	Hamilton	McFalls	Tighe

E. Case	Hammond	Nachtmann	Waddell
G. M. Case	Healy	Niven	Weiant,
Cozans	Herrick	Piper	Wemple
Crowley			

Mr. Purdy, from said committee, also reported progress on said second mentioned bill, and asked and obtained leave to sit again.

Mr. Purdy, from said committee, also reported progress on said third mentioned bill, and asked and obtained leave to sit again.

Mr. Coulter moved to discharge the committee of the whole from the further consideration of said bill, and that the same, with amendments made in the committee of the whole, be ordered engrossed for a third reading.

Mr. Coulter moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Coulter, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Suydam offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of bill No. 339, entitled "An act to establish a high school in the city of Brooklyn," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

By unanimous consent,

Mr. J. S. Brown, from the committee on game laws, to which was referred the Senate bill entitled "An act to amend chapter 288 of the Laws of 1874, entitled 'An act to incorporate societies for the improvement of poultry, small birds, domestic animals and fish culture,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. J. S. Brown, from the committee on game laws, to which was referred the bill introduced by Mr. Langbein, Int. No. 713, entitled "An act to amend chapter 436 of the Laws of 1872, entitled 'An act relating to the setting of fykes and other nets in Harlem and East rivers,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. J. S. Brown, from the committee on game laws, to which was referred the bill introduced by Mr. Brill, Int. No. 835, entitled "An act for the preservation of fish and shell fish in the town of Smithtown, county of Suffolk," reported adversely thereto, which report was agreed to.

Mr. Spinola moved that the House adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend chapter 436 of the Laws of 1874, entitled 'An act

to regulate the practice of medicine and surgery in the State of New York.”

Senate, “An act extending to corporations located in and organized under the laws of other States, certain rights and powers now possessed by similar corporations of this State.”

“An act to amend sections 6 and 29 of chapter 495 of the Laws of 1875, entitled ‘An act relating to the court of arbitration of the Chamber of Commerce of the State of New York, and to provide for the expenses thereof.’”

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Backenstose, from said committee, reported progress on said first mentioned bill, and asked and obtained leave to sit again.

Mr. Backenstose, from said committee, also reported in favor of the passage of said second mentioned bill; which report was agreed to, and said bill ordered to a third reading.

Mr. Backenstose, from said committee, also reported progress on said third mentioned bill, and asked and obtained leave to sit again.

Mr. McFalls moved to discharge the committee of the whole from the further consideration of the bill entitled “An act to amend chapter 436 of the Laws of 1874, entitled ‘An act to regulate the practice of medicine and surgery in the State of New York,’ ” and that said bill be ordered to a third reading.

Mr. Mitchell rose to a point order, that he was upon the floor first, and should have been recognized.

Mr. Speaker decided the point of order not well taken.

Mr. Mitchell appealed from the decision of the chair.

Mr. Skinner moved to lay said appeal on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. McFalls moved the previous question.

Mr. Speaker put the question “Shall the main question be now put?” and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. McFalls, and it was determined in the affirmative.

Said bill was ordered engrossed for a third reading.

Mr. Fish moved that the House adjourn, to meet to-morrow morning at 10 o'clock.

Mr. Spinola moved to amend by striking out “10,” and inserting in lieu thereof “10.30.”

Mr. Speaker put the question whether the House would agree to said motion of Mr. Spinola, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Fish, as amended, and it was determined in the affirmative.

Whereupon, at 10 o'clock and 5 minutes, the House adjourned.

## WEDNESDAY, APRIL 11, 1877.

The House met pursuant to adjournment.

Prayer by Rev. F. J. McGuire.

The journal of yesterday was read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to amend chapter 90 of the Laws of 1865, entitled 'An act to amend and consolidate the several acts relating to the village of Illion,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

On motion of Mr. McKee, and by unanimous consent, the bill entitled "An act to amend chapter 628 of the Laws of 1857, entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors,'" was substituted for said bill.

"An act to authorize the Richmond County Storage and Business Company to reduce the number of its directors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to the city government of Long Island City," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act establishing a ferry from Essex village, in the county of Essex, across Lake Champlain to the town of Charlotte, in the State of Vermont," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to grant to the city of Yonkers certain lands belonging to the people of the State of New York lying below the original line of high-water mark in the Nepperhan basin, in the city of Yonkers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act authorizing and directing the surrogate of Cattaraugus county to distribute to the collateral next of kin of Daniel W. Smith, his legacy under the last will and testament of his father, Russell Smith, deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 341 of the Laws of 1876, entitled 'An act regulating the forfeiture of life insurance policies,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act to legalize the incorporation of Schenewus village, in the county of Otsego, and to approve the action of the incorporation of said village under chapter 201 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" which was read the first time, and by unanimous consent was also read the second time, when,

On motion of Mr. Barnes, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the

final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Backenstose	Cowdin	Langner	Ruggles
Baker	Davenport	Longyear	Sager
S. Baldwin	Dillmeier	Lyon	Sanders
M. L. Baldwin	Dimond	Maher	Sanjee
Barnes	Fay	Maynard	Shanley
Benedict	Flecke	McFalls	Shannon
Berrigan	Floyd-Jones	McGraw	Skinner
Billings	Galvin	McGroarty	Speaker
Billington	Gere	McKee	Spicer
Bissell	Gilbert	Moody	Stein
Bowen	Gulick	Moore	Stone
Bradley	Hamilton	Noyes	Suydam
Brill	Hammond	O'Hare	Tabor
J. H. Brown	Hepburn	Orr	Taylor
J. S. Brown	Herrick	Peck	Thistlethwaite
E. Case	Herbat	Piper	Valentine
T. A. Case	Hodges	Potter	Webb
Clapp	Husted	Proper	Welsh
Clark	King	Rice	Williams
Corbett	Lang	W. L. Rockwell	Winch
Coulter	Langbein		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

On motion of Mr. Clark, and by unanimous consent, the bill entitled "An act authorizing the inhabitants of school district No. 8 in the town of Pike, county of Wyoming, to sell a portion of their school-house site," was ordered to a third reading.

Mr. Speaker presented a communication in the words following:

STATE OF NEW YORK—CANAL DEPARTMENT, {  
ALBANY, April 11, 1877. }

*To the Honorable the Speaker of the Assembly:*

SIR.—At a meeting of the Canal Board, held Tuesday, April 10, 1877, the following resolution was adopted:

By Mr. Dorsheimer:

*Resolved*, That the rate of toll on peas and beans, in the toll sheet heretofore submitted to the Legislature, be fixed at one-half a mill per 1,000 pounds per mile, and that the Legislature be requested to concur therewith.

Respectfully yours.

G. W. SCHUYLER, *Auditor*.

Mr. Baker moved that said resolution be considered this evening with the special order.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

On motion of Mr. Corbett, and by unanimous consent, the bill entitled "An act to further amend chapter 137 of the Laws of 1842, entitled 'An act in relation to common schools in the city of Utica,' and chapter 86 of the Laws of 1850, entitled 'An act in relation to common schools in the city of Utica,'" was ordered to a third reading.

Mr. Barnes moved to take from the table so much of the report of the sub-committee of the whole in the words following:

"Mr. J. S. Graham, from the sub-committee of the whole, to which was referred the Assembly bill No. 358, Int. No. 426, G. O. 366, entitled 'An act to authorize the president and directors of the Charlotte Turnpike Company to abandon their road and for other purposes,' reported in favor of the passage of the same, with the following amendments:

"Amend section 1 as follows: Line 5, after the word 'abandon,' insert 'such portion of;' after 'road,' in same line, insert 'as they shall have designated by resolution.' Line 7, strike out 'the' and insert 'that.' Lines 7 and 8, strike out the words 'that they have abandoned their intention so to do.' At the end of line 8 insert 'so far as the same shall have been designated.' Line 10, strike out the words 'except as herein-after stated' and insert 'but such portion of said road as shall not have been abandoned by said company shall be continuous and not in sections.'

"Strike out sections 2 and 3 and make section 4 section 2."

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Maynard moved to disagree with the report of the sub-committee and that said bill be committed to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Peck introduced a bill entitled "An act to confer jurisdiction in civil cases upon the police justice of the village of Sand Bank, Oswego county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a petition on the same subject, which was read and referred to the same committee.

Mr. Brick introduced a bill entitled "An act to enable the trustees of the Seamen's Fund and Retreat in the city of New York to borrow money," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Hepburn introduced a bill entitled "An act to prohibit the use of Butler chandeliers in taking pickerel from the waters of Racket river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on game laws.

Mr. Baker introduced a bill entitled "An act to amend chapter 6, part 1, title 3, article 3, section 21 of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Herrick introduced a bill "An act in relation to regrading, repaving, repairing and recurbng the streets of the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.



On motion of Mr. J. S. Graham, and by unanimous consent, the bill entitled "An act to amend an act entitled 'An act for the incorporation of societies or clubs for certain lawful purposes,' passed May 12, 1875," was referred to the sub-committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Hayes, Int. No. 885, entitled "An act to incorporate the New York Pipe Company for conveying petroleum," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

(Messrs. Langbein and Ruggles dissented.)

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Marvin, Int. No. 960, entitled "An act to abolish the office of supervisor at large and county auditor of Kings county, and to confer the duties thereof on the president of the board of supervisors," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Piper, Int. No. 952, entitled "An act to amend chapter 348 of the Laws of 1876, entitled 'An act to amend section 32, part 1, title 1, article 3, chapter 16 of the Revised Statutes,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to legalize and confirm the acts of Truman C. White, as notary public," reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the Senate bill entitled "An act relative to lands devised by Jesse Browne, deceased," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to amend chapter 295 of the Laws of 1876, entitled 'An act to authorize the presiding judge or justice of courts of oyer and terminer to grant new trials,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Strahan, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to incorporate the New York State Bar Association," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Peck, from the committee on general laws, to which was referred the bill introduced by Mr. Stein, Int. No. 429, entitled "An act to provide for the dissolution of charitable and benevolent incorporations incorporated under the general laws of this State, and to effect the actual application of the funds and property thereof to the objects contemplated in the certificate of incorporation," reported the same for the consideration of the House.

Mr. Fish, from the committee on affairs of cities, reported a bill entitled "An act in relation to the leasing of ferries in the city of New York,"

which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Langbein, Int. No. 813, entitled "An act to make further provision for the payment of further expenses of the local government of the city of New York," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Flecke, Int. No. 349, entitled "An act in relation to the repairing of streets in the city of New York, south of Fourteenth street," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Ecclesine, Int. No. 256, entitled "An act in relation to the Croton aqueduct in the city of New York," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Gallagher, Int. No. 932, entitled "An act to amend an act entitled 'An act to revise the charter of the city of Buffalo,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill entitled "An act to amend chapter 36 of the Laws of 1873, entitled 'An act to provide for a supply of water in the city of Yonkers,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on railroads, to which was referred the bill introduced by Mr. Valentine, Int. No. 900, entitled "An act to amend chapter 907 of the Laws of 1869, in reference to railroads," reported adversely thereto, which report was agreed to.

Mr. Gilbert, from the committee on railroads, to which was referred the bill introduced by Mr. Proper, Int. No. 742, entitled "An act to regulate the tariff on certain railroads in the State of New York," reported adversely thereto.

Mr. Proper moved to disagree with the report of the committee on railroads, and that said bill be referred to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 31 }  
{ NOES 40 }

Those who voted in the affirmative, were

M. L. Baldwin	Galvin	Neilson	Spinola
Berrigan	Gere	Potter	Stone
Bissell	Keator	Proper	Tabor
Brick	Langner	Rice	Tighe
Brill	Longyear	H. H. Rockwell	Webb
Bulmer	Lyon	W. L. Rockwell	Weiant
Crowley	Mitchell	Sanders	Wemple
Floyd-Jones	Nachtman	Skinner	

Those who voted in the negative, were

Backenstose	Corsa	McGraw	Smith
Baker	Cowdin	McKee	Spicer
S. Baldwin	Gilbert	Moller	Stephenson
Barnes	Hepburn	Moody	Strahan
Benedict	Herrick	Morey	Suydam
Billington	Hodges	O'Hare	Taylor
J. H. Brown	King	Orr	Thistlethwaite
G. M. Case	Lang	Peck	Welsh
Clapp	Langbein	Ruggles	Wickes
Corbett	McFalls	Shannon	Williams

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. T. A. Case, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Braman, Int. No. 968, entitled "An act authorizing the board of trustees of the village of Green Island to contract for a supply of water for public purposes," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Hogeboom, from the committee on general laws, reported a bill entitled "An act to amend an act entitled 'An act to confer on boards of supervisors further powers of local legislation and administration and to regulate the compensation of supervisors,' passed June 5, 1875," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Purdy presented the memorial of William Coventry Waddell, relating to school and college fund; which was read and laid on the table.

Mr. Skillman presented a petition of 400 citizens of Chenango county, regulating the sale of oleomargarine; which was committed to the committee of the whole.

Also, a remonstrance of citizens of Chenango county against the sale and abandonment of the Chenango canal; which was read and referred to the committee on canals.

Mr. Shelton presented a remonstrance of A. Fitch and others, of North Brookfield, New York, against the sale and abandonment of the Chenango canal; which was read and referred to the committee on canals.

Mr. Langner presented a remonstrance of citizens of Buffalo against the passage of an act relating to the management of the poor department of the city of Buffalo; which was read and referred to the committee on affairs of cities.

Mr. Cowdin called from the table a resolution previously offered by him, in the words following:

*Resolved*, That the committee on ways and means be requested to report to this House by bill, or otherwise, what measures, in their judgment, ought to be adopted to prevent the further reduction of bank capital in the State of New York.

The hour of 12 o'clock having arrived, Mr. Speaker announced that, pursuant to law and a joint resolution of the Senate and Assembly, the House would now proceed to the nomination of a Regent of the University in place of Augustus C. George, resigned.

The House then proceeded to the nomination of a Regent of the University in the place of Augustus C. George, resigned, and each member,

as his name was called by the Clerk, rose in his place and nominated as follows:

## ORRIS H. WARREN.

Alvord	Cowdin	Keator	Skillman
Backenstose	Fay	King	Skinner
Baker	Fish	Lang	Smith
S. Baldwin	Gallagher	Langbein	Speaker
M. L. Baldwin	Gere	Marvin	Spicer
Barnes	Gilbert	McFalls	Stephenson
Billings	J. G. Graham	McGraw	Strahan
Billington	J. S. Graham	McKee	Suydam
Braman	Gulick	Moore	Taylor
J. S. Brown	Hammond	Morey	Thistlethwaite
E. Case	Hayes	Noyes	Valentine
G. M. Case	Hepburn	Peck	Webb
T. A. Case	Herbst	Potter	Welsh
Clapp	Hodges	Santee	Wickes
Clark	Hogeboom	Shannon	Williams
Corbett	Husted	Sheldon	Winch
Corsa			

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## GEORGE F. COMSTOCK.

Benedict	Dimond	Maher	H. H. Rockwell
Berrigan	Ecclesine	Maynard	W. L. Rockwell
Bissell	Flecke	McGroarty	Rooney
Bradley	Floyd-Jones	Mitchell	Ruggles
Brick	Galvin	Moller	Sager
Brill	Hamilton	Nachtmann	Sanders
J. H. Brown	Healy	Neilson	Shanley
Bulmer	Herrick	Niven	Stein
Burns	Holahan	O'Hare	Stone
Childs	Humphrey	Piper	Tabor
Coulter	Langner	Proper	Tighe
Cozans	Longyear	Purdy	Weiant
Crowley	Lyon	Rice	Wemple
Dillmeier			

53

## GEORGE W. BULL.

Orr

## FREDERICK A. CONKLING.

Spinola

1

A quorum having voted, and a majority having named Orris H. Warren, of Onondaga county, as their choice,

Mr. Speaker announced that Orris H. Warren, of the county of Onondaga, had been duly nominated on the part of the House for Regent of the University in place of Augustus C. George, resigned.

Senators McCarthy and Gerard, a committee from the Senate, appeared in the Assembly Chamber and informed the House that the Senate had made a nomination for Regent of the University.

Mr. Smith offered for the consideration of the House a resolution, in the words following:

*Resolved*, That a committee of two be appointed to inform the honorable the Senate that the Assembly have made their nomination for

Regent of the University, and are ready to meet the Senate in the Assembly Chamber and compare nominations.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed as such committee Messrs. Smith and Neilson.

Mr. Smith, from said committee, reported that they had discharged their duty.

The Senate appeared in the Assembly chamber, and the President of the Senate, upon taking the Chair, announced that the Senate and Assembly were in joint convention for the purpose of comparing nominations for the office of Regent of the University, in place of Augustus C. George, resigned.

The Clerk of the Senate then read the proceedings of the Senate and the Clerk of the Assembly the proceedings of the Assembly relating thereto.

The nominations being found to agree, the President of the Senate announced and declared that Orris H. Warren, of the county of Onondaga, was duly elected Regent in place of Augustus C. George, resigned.

The Senate having retired from the Assembly chamber, the Chair announced that on the joint meeting of the Senate and Assembly to compare nominations for the office of Regent of the University, the nominations of the two Houses were found to agree, and that, as declared by the President of the Senate, Orris H. Warren, of the county of Onondaga, was duly elected Regent of the University in place of Augustus C. George, resigned.

The House then resumed the consideration of the resolution previously offered by Mr. Cowdin.

Mr. Clapp moved to amend said resolution by adding at the end thereof the following: "Provided that nothing in this resolution shall be construed to recommend exemption from taxation such United States bonds as are held as a basis of security for the circulating notes of national banks."

Mr. Spinola moved to lay the resolution and amendment on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Nachtmann called from the table a resolution previously offered by him, in the words following:

*Whereas*, The Constitution of this State, by sections 4 and 5, directs that an enumeration of the inhabitants of the State shall be taken every ten years, and the districts (meaning Senate and Assembly) shall be so altered by the Legislature, at the first session after the return of every enumeration, that each district shall contain, as nearly as may be, an equal number of inhabitants, excluding aliens and persons of color not taxed; and,

*Whereas*, Such enumeration has taken place in 1875, according to the provisions of the Constitution as aforesaid; and,

*Whereas*, The Legislature of 1876, being the first after such enumeration, failed to so direct and alter such Senate and Assembly districts; and,

*Whereas*, This present House has appointed, at the commencement of its session, a committee on apportionment, and such committee, thus far, failed to report to this House any bill or measure looking towards such alterations as required; therefore, be it

*Resolved*, That the standing committee on apportionment of this House

be hereby directed and required to report to this House, within ten days, a proper bill for such apportionment, in compliance with the intent and spirit of the Constitution as aforesaid.

Mr. Husted moved to lay said resolution on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 58 }  
{ NOES 55 }

Those who voted in the affirmative, were

Baker	Filkin	Marvin	Skillman
S. Baldwin	Fish	McFalls	Skinner
M. L. Baldwin	Gallagher	McGraw	Speaker
Barnes	Gere	McKee	Spicer
Billings	Gilbert	Moore	Stephenson
Billington	J. G. Graham	Morey	Strahan
Braman	Gulick	Noyes	Suydam
J. S. Brown	Hammond	Orr	Taylor
E. Case	Hayes	Peck	Thistlethwaite
G. M. Case	Herbst	Potter	Valentine
T. A. Case	Hodges	Proper	Webb
Clapp	Hogeboom	Santee	Welsh
Clark	Husted	Shannon	Wickes
Corsa	Keator	Sheldon	Winch.
Fay	Lang		

Those who voted in the negative, were

Benedict	Flecke	Maynard	Ruggles
Berrigan	Floyd-Jones	McGroarty	Sager
Bissell	Galvin	Mitchell	Sanders
Bradley	Grady	Moller	Shanley
Brick	J. S. Graham	Nachtmann	Sliter
Brill	Hamilton	Neilson	Smith
J. H. Brown	Herrick	Niven	Spinola
Childs	Holahan	O'Hare	Stein
Coulter	Humphrey	Piper	Stone
Cozans	Langbein	Purdy	Tabor
Crowley	Langner	Rice	Tighe
Davenport	Longyear	H. H. Rockwell	Weiant
Dillmeier	Lyon	W. L. Rockwell	Wemple
Dimond	Maher	Rooney	

Mr. Stein offered for the consideration of the House a resolution, in the words following:

*Whereas*, The Governor of the State in his annual message to the Legislature, having informed this House that in some respects the government of the city of New York is almost in a chaotic condition; and it being publicly announced in the New York press of the third inst., that the Chief Justice of the Court of Appeals has declared, that owing to the confusion existing in the laws relating to the city of New York, it is impossible for the highest court in the State to determine what is, or is not law in relation to that city; and the bill now on the files of the members, known as Senate bill No. 231, being calculated, from its provisions, to carry still greater confusion into the government of the

city than what even now exists, owing to the several clauses therein, which transfer powers and duties without defining what those powers and duties are; and in view of the probable action of the Legislature in passing the proposed constitutional amendments in reference to the government of cities, and the desirability, before those amendments are submitted to the people for their action thereon, that the present confused and inconsistent system of law which relates to the city of New York, should be amended and consolidated, and in this amendment and consolidation all needful and proper reform should be incorporated and made part of a completed system for the government of the city of New York; therefore,

*Resolved*, That all bills now before this House, which relate to the government of the city of New York, be committed to the committee on affairs of cities of this House, and that said committee is hereby directed to report, within ten days, the best plan which, in the judgment of said committee, is calculated to become a proper amendment and consolidation of the laws of said city, incorporating all necessary reforms, and until such report is received, no action shall be taken by this House upon any of the bills reported relative to the local government of the city of New York.

Said resolution giving rise to debate,

*Ordered*, That the same be laid on the table.

Mr. J. S. Graham offered for the consideration of the House a resolution, in the words following:

*Resolved*, That a respectful message be sent to the honorable the Senate asking them to return bill No. 306, entitled "An act authorizing and empowering the common council of the city of Rochester to construct a turn-table or swing-bridge over the Erie canal, in Allen street, in the city of Rochester."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Hayes offered for the consideration of the House a resolution, in the words following:

*Whereas*, Successful armed resistance to Spanish authority in the Island of Cuba has been maintained during the past eight years, by a people who have organized a government, republican in form, which guarantees to all its citizens freedom of person in religion, the right to acquire and enjoy property, the pursuit of happiness, and to participate in its affairs; and,

*Whereas*, The Republic of Cuba has maintained its power until its authority is now recognized over more than half of the territory of that island, and the attention of the whole civilized world is being directed to it; and,

*Whereas*, It is the duty of the Government of the United States, as the great republic of the world, as the hope and pride of oppressed humanity everywhere, to extend its sympathies to all people who are struggling against oppression and endeavoring to secure for themselves and their posterity the blessings of freedom and of free government; and,

*Whereas*, An extraordinary war tax of thirty per cent is imposed on all products of that island imported into this country, which, during the past eight years, has averaged annually \$85,000,000 in value, while our exports to the same island have averaged only \$16,000,000, thus

forcing the American people to become the principal contributors to the support of a war alike injurious to their interests and offensive to the public sense of patriotism, justice and the civilization of the age; and,

*Whereas*, The commander of the Spanish forces on said island has recently issued an order declaring that no quarter or mercy will be shown to those who persist in their opposition to Spanish authority on that island after the first day of May next, thereby indicating that the barbarism of past ages is to be repeated in war, in violation of the conscience and expressed judgment of all civilized governments of this age; therefore, be it

*Resolved* (if the Senate concur), That in the opinion of this Legislature, the time has arrived when it becomes the duty of the Government of the United States to take such action as is best calculated to terminate the war now being waged on the Island of Cuba, and in so doing it should shape its policy in such a manner as to give encouragement to the people of that island, who are struggling to establish a free government.

*Resolved* (if the Senate concur), That our Senators and Representatives in Congress be requested to aid in bringing about these results.

Said resolutions being concurrent,

*Ordered*, That the same be laid on the table.

Mr. Hogeboom offered for the consideration of the House a resolution, in the words following:

*Resolved* (if the Senate concur), While desirous of referring the question of the recognition of the revolutionary government of Cuba to the appropriate federal authorities at Washington, we cannot, at this time, refrain from expressing our profound regret at the information received that the commander of the Spanish forces on the Island of Cuba has recently issued an order declaring "that no quarter or mercy will be shown to those who persist in their opposition to Spanish authority on that island after the first day of May next," and regarding said order as contrary to the enlightened spirit of the present age, and a return to the barbarism of the past, we call upon the President to cause inquiry to be made as to the facts really existing, and, if found to be as stated, in behalf of one of the family of nations, to enter an earnest protest against the outrage on the rights of humanity recognized in the moral code of the civilized world; and we ask our representatives in Congress to further the purpose of these resolutions.

Said resolution being concurrent,

*Ordered*, That the same be laid on the table.

Mr. Tighe called from the table a resolution previously offered by him, in the words following:

*Whereas*, Charges have been and are made that the provisions of the act entitled "An act to provide for the licensing and government of the pilots and regulating the pilotage of the port of New York, passed June 28, 1853, and the acts amendatory thereof," have been and are being violated and disregarded by the commissioners appointed thereunder; that taxes and assessments not provided for by law are made, assessed and levied upon the pilots with the knowledge and consent of the commissioners, and that no report is ever made to the people of the proceedings had by said commissioners or of the amounts of moneys collected by them under the provisions of the law or otherwise; and,

*Whereas*, The provisions of said act above recited and the acts amendatory thereof do not, in any manner, provide for the making of any report by the pilot commissioners of their proceedings; and,



*Whereas*, It is important that the people should have full information of all proceedings had by the said pilot commissioners and of all their acts as such commissioners; therefore, be it

*Resolved*, That the committee on commerce and navigation be directed to inquire and examine into all the proceedings and actions of the pilot commissioners appointed under the provisions of the act passed June 28, 1853, and of the acts amendatory thereof; that they ascertain the amount of moneys collected from pilots and others by said commissioners, or by any other person or persons, and the disposition made thereof, as well as the amount of money taxed, assessed and levied upon the pilots by said commissioners, or by any other person or persons with their knowledge and consent, and that for the purpose of such investigation it is further resolved that said committee shall have power to send for persons and papers, etc.

Mr. Strahan moved that said resolution be laid on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

} AYES 51 }  
} NOES 43 }

Those who voted in the affirmative, were

Baker	Fish	King	Santee
S. Baldwin	Flecke	Langbein	Skillman
M. L. Baldwin	Gere	Marvin	Skinner
Barnes	Gilbert	McFalls	Spicer
Billings	J. G. Graham	McGraw	Stephenson
Billington	J. S. Graham	McKee	Strahan
Braman	Gulick	Moody	Suydam
G. M. Case	Hammond	Moore	Taylor
T. A. Case	Hayes	Mprey	Thistlethwaite
Clapp	Herbst	Noyes	Valentine
Corbett	Hodges	Orr	Welsh
Corsa	Husted	Peck	Wickes
Fay	Keator	Potter	

Those who voted in the negative, were

Benedict	Dimond	McGroarty	Sager
Berrigan	Ecclesine	Moller	Sanders
Bissell	Floyd-Jones	Nachtmann	Shanley
Bradley	Galvin	Neilson	Spinola
Brick	Grady	Niven	Stein
Brill	Hamilton	O'Hare	Stone
J. H. Brown	Healy	Rice	Tabor
Coulter	Herrick	H. H. Rockwell	Tighe
Cozans	Holahan	W. L. Rockwell	Weiant
Davenport	Lyon	Rooney	Wemple
Dillmeier	Maynard	Ruggles	

Indefinite leave of absence was granted to Mr. Bowen.

By unanimous consent,

Mr. Tabor introduced a bill entitled "An act in relation to the publication of legal notices in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Weiant offered for the consideration of the House a resolution, in the words following :

*Resolved*, That bill No. 497 (original Senate bill No. 7), entitled "An act to amend chapter 628 of the Laws of 1874, entitled 'An act to amend an act entitled An act for the incorporation of villages,' passed April 20, 1870," be recommitted to the committee on general laws for further consideration and amendment, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The hour of 2 o'clock having arrived, the House took a recess until 8 o'clock P. M.

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### EIGHT O'CLOCK P. M.

The House again met.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows :

"An act to authorize resident aliens to acquire, hold and dispose of real and personal property in like manner with citizens," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act authorizing the supervisor of the town of Newtown, Queens county, to issue and exchange certain bonds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to amend chapter 818 of the Laws of 1868, entitled 'An act to incorporate the village of Port Chester,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to amend chapter 692 of the Laws of 1866, entitled 'An act fixing the fees of justices of the peace and constables in civil and criminal cases, and the fees of jurors and witnesses in justices' courts, and for other purposes, and supplementary thereto,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to grant to the city of Yonkers, for highway purposes, certain land below original high-water mark in the Hudson river, and to authorize the building of a bridge over the tracks of the New York Central and Hudson River railroad upon such land," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to release the interest of the people of the State of New York in certain real estate in the city of Utica and town of New Hartford, county of Oneida, to Mary Nock," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

"An act to authorize the Ogdensburgh and Lake Champlain Railroad Company to issue preferred stock," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to enable Long Island City to refund a portion of its Newtown debt," which was read the first time, and by unanimous consent

was also read the second time, and referred to the committee on affairs of cities.

"An act to amend chapter 571 of the Laws of 1866, entitled 'An act to incorporate the Brooklyn Trust Company,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act in relation to the change of grades of streets and avenues in the Twenty-third and Twenty-fourth wards of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to authorize the town of Corning, in the county of Steuben, to maintain and keep in repair certain bridges and the approaches thereto, and to cause the insurance thereof against loss or damage by fire," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Speaker presented a communication from his Excellency the Governor, in relation to a communication received from his Excellency the Governor of Michigan, asking the co-operation of the Legislature of the State of New York, in the recommendation to Congress, asking for an appropriation for the making of a harbor of refuge at Grand Marais harbor on Lake Superior; which was laid on the table and ordered printed.

(See Doc. No. 100.)

Mr. Speaker announced the special order of the day, being the resolutions adopted by the Canal Board, relative to the rate of tolls on the canals.

Mr. Baker moved that the further consideration of said special order be postponed until next Monday evening, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The Senate returned the bill entitled as follows:

"An act to amend and make additions to chapter 463 of the Laws of 1860, entitled 'An act to revise the charter of the city of Oswego, and the acts amendatory thereof.'"

*Ordered,* That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, informing of concurrence in the passage of the bills entitled as follows:

"An act to legalize the acts of Charles C. Wakeley as notary public."

"An act to extend the time for the collection of taxes in the town of Wellsville, in the county of Allegany."

"An act to legalize the acts of Roselle W. Higgins as notary public of Jefferson county."

"An act to amend section 23 of chapter 10 of the Laws of 1859, entitled 'An act to amend an act entitled An act to revise, amend and consolidate the several acts relating to the village of Whitesborough,' passed February 12, 1859, as amended by chapter 304 of the Laws of 1873."

"An act to amend chapter 224, Laws of 1872, entitled 'An act to amend an act entitled An act to consolidate and amend the several acts relating to the village of Watkins, and to enlarge the powers of the corporation of said village,' passed April 3, 1861, passed April 12, 1872."

"An act to amend chapter 370 of the Laws of 1873, entitled 'An act to revise and amend an act entitled An act to incorporate the village of Port Jervis,' passed March 30, 1866, and all acts relating thereto, passed May 1, 1873."

*Ordered.* That the Clerk deliver said bills to the Governor.

Mr. Husted moved to lay all order of business on the table except general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

On motion of Mr. Backenstose, and by unanimous consent, the bill entitled "An act to confirm the proceedings of the town meeting held in Geneva authorizing the raising of money for road and bridge purposes;" also, the bill entitled "An act to amend chapter 65 of the Laws of 1871, entitled 'An act to revise and consolidate the laws in relation to the village of Geneva, in the county of Ontario,' passed March 8, 1871," were ordered to a third reading.

By unanimous consent,

Mr. Gallagher, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Waddell, Int. No. 964, entitled "An act to amend chapter 817 of the Laws of 1866, entitled 'An act to lay out and construct a road from the river road in township No. 14, in the town of Johnsburgh, to the Carthage road, near the head of Long Lake, in the county of Hamilton,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Gallagher, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Tabor, Int. No. 881, entitled "An act to amend section 1 of chapter 177 of the Laws of 1855, entitled 'An act authorizing the construction of a bridge or dam, or both, across the creek or portion of Niagara river which separates Tonawanda or White's Island from the main land,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. McKee, from the committee on banks, to which was referred the Senate bill entitled "An act to amend chapter 371, Laws of 1875, entitled 'An act to conform the charters of all savings banks, or institutions for savings, to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision and for the administration of their affairs,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Noyes, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Brick, Int. No. 909, entitled "An act to legalize and confirm the official acts of the trustees of the village of New Brighton," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Niven introduced a bill entitled "An act relating to the erection of telegraph poles in the cities of the State of New York," which was

read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Suydam, Int. No. 907, entitled "An act to provide for deficiencies in appropriations for the poor in the county of Kings, for raising and disbursing the moneys of said county, and to regulate the power and duties of officials in incurring obligations against said county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Corsa, Int. No. 376, entitled "An act to amend chapter 479 of the Laws of 1875, entitled 'An act in relation to the jurisdiction of the Marine Court of the city of New York, and the justices of said court,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Tabor, Int. No. 973, entitled "An act for the relief of James Murphy, an alien, to enable him to be admitted to practice as an attorney and counselor in the courts of this State," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Strahan, from the committee on the judiciary, to which was referred the bill introduced by Mr. Flecke, Int. No. 912, entitled "An act to compel persons using co-partnership names to record the names of the individual members thereof with their place of residence," reported adversely thereto.

On motion of Mr. Strahan, said report was laid on the table.

By unanimous consent,

Mr. Strahan, from the committee on the judiciary, to which was referred the resolution directing an inquiry into the condition of the Supreme Court in the sixth judicial district, the causes of failure of courts therein, and as to the deficiency of the judicial force therein, submit the following report:

That they have had the same under consideration, have taken testimony relating thereto sufficiently establishing, presumptively at least, the fact that Ransom Balcom, a justice of the Supreme Court of the sixth judicial district of this State, is incapacitated, by reason of permanent prostration of his mental faculties, to discharge the functions of his office, in consequence whereof is occasioned serious obstruction in the administration of justice in said district, greatly impairing the efficiency of the judicial department, and your committee are of the opinion that proceedings should be instituted for his removal pursuant to article 6, section 11 of the Constitution.

The evidence taken is subjoined.

Your committee also present for the consideration of the Assembly, the following joint resolution:

*Resolved* (if the Senate concur), That the judiciary committees of the two houses constitute a joint committee to prepare charges upon the evidence already received by the judiciary committee of the Assembly

(supplemented by further evidence if said joint committee shall deem it requisite), and shall cause a copy of the charges to be served upon Ransom Balcom, a justice of the Supreme Court of the sixth judicial district, as grounds for his removal from office by concurrent resolution of both houses of the Legislature; and shall fix a time and place for the hearing and investigation thereof before said joint committee, notice of such hearing to be served with the said copy of charges, and that reasonable opportunity, consistent with the exigency of the public interest, be given to said incumbent to make answer to said charges, to produce witnesses in his behalf, to cross-examine those offered in support of the charges, and to be heard in his defense; and in case the said incumbent shall fail to appear in person or by counsel, and the said committee should have reason to believe that such failure to appear was occasioned by causes the same as preferred in the charges aforesaid, then said committee are instructed to invite some associate justice of the Supreme Court to appear in person before them to take care of the interests of the said incumbent in the premises. The committee are hereby authorized to take testimony in the proceedings, to send for persons and papers, to employ a stenographer, and are required to report their opinion as to the result of their deliberations, and to transmit all the evidence at as early a day as convenient.

ROBERT H. STRAHAN,  
JOHN T. HOGEBOOM,  
A. B. HEPBURN,  
J. E. B. SANTEE,

J. C. JULIUS LANGBEIN,  
W. B. RUGGLES,  
S. B. PIPER,  
H. H. ROCKWELL,

*Committee.*

Said resolution being concurrent,

*Ordered*, That the same be laid on the table.

On motion of Mr. Welsh, and by unanimous consent, the bill entitled "An act to provide for the removal of eel weirs and other devices for taking fish from the Delaware river and its branches, and to prevent the maintenance of such devices," was ordered to a third reading.

By unanimous consent,

Mr. Strahan, from the committee on the judiciary, offered the following resolution:

*Resolved*, That the committee on the judiciary be discharged from the further consideration of bill No. 943, introduced by Mr. Humphrey, entitled "An act to establish the weight of a dozen eggs, and to establish an equivalent in weight to a count by the dozen," and that said bill be referred to the committee on agriculture.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker announced the order of business, "general orders."

Mr. Weiant offered for the consideration of the House a resolution, in the words following:

*Resolved*, That bill No. 497 (Senate bill No. 7), entitled "An act to amend chapter 628 of the Laws of 1874, entitled 'An act to amend an act entitled An act for the incorporation of villages,' passed April 20, 1870," be recommitted to the committee on general laws, for further consideration and amendment, retaining its place on general orders.

Mr. Strahan moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. J. S. Graham presented the report of the sub-committee of the whole; which was laid on the table and ordered printed.

(See Doc. No. 106.)

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to prevent agricultural societies, which offer premiums for trials of speed between horses, from receiving money appropriated to agricultural societies by this State."

"An act to amend sections 6 and 29 of chapter 495 of the Laws of 1875, entitled 'An act relating to the court of arbitration of the Chamber of Commerce of the State of New York, and to provide for the expenses thereof.'"

"An act to amend chapter 371 of the Laws of 1875, entitled 'An act to conform the charters of all savings banks or institutions for savings to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision, and for the administration of their affairs.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Shannon, from said committee, reported progress on said first, second and third mentioned bills, and asked and obtained leave to sit again.

Mr. O'Hare offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of Senate bill No. 194, entitled "An act relating to the payment of assessments for local improvements in the city of New York," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

Senate, "An act to divide the Third and Seventh wards of the city of Utica, and to create the Eleventh and Twelfth wards therein."

"An act to authorize the clerk to the surrogate's court of the county of New York to sign any of the records of said court and to sign and issue any order to show cause where no injunction or stay of proceedings is granted thereby."

"An act to amend the charter of the American Popular Life Insurance Company of New York."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Clark, from said committee, reported progress on said first, second and third mentioned bills, and asked and obtained leave to sit again.

Mr. Strahan offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the resolution adopted by this House whereby it was ordered that all bills once called on general orders and not moved, should thereby lose their place in said order of business, is hereby rescinded.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The Sergeant-at-Arms appeared before the bar of the House and announced a committee from the Massachusetts Legislature.

Mr. Speaker then spoke as follows:

*Gentlemen of the Massachusetts Legislature:*

In behalf of the Assembly of the State of New York, it becomes my agreeable duty, as its presiding officer, to extend to you a cordial welcome to this chamber.

Understanding your mission to be purely one of business, having reference to more extended railway facilities between the two great commonwealths respectively represented on this occasion, by which it is believed that the interests of Massachusetts may become more closely identified with those of New York, we say to you that we wish you all success in your undertaking.

It is a hopeful sign amid the depression prevailing at the present time in all departments of industry, that Massachusetts, perceiving with prophetic ken the signs of returning life and vigor, is moving in the direction of new and important public enterprises, as she was the first to send her sons to the front when the cloud of war hung menacingly over the nation. So it would appear that she also leads again in coming out from the darkness of commercial gloom, too long impending, and by which growth has been paralyzed and the development of the country held in check. It gives me pleasure to assure you that it is the wish of every member of this House that your visit to our State may eventuate in the most agreeable recollections, and at the same time beneficent and satisfactory results.

Again, gentlemen of the Massachusetts Legislature, in behalf of the body over which I have the honor of presiding, I welcome you to the capital of the State of New York, and I assure you of our desire that your visit may be in all respects enjoyable and in all respects beneficial.

Mr. Husted moved that a recess of fifteen minutes be taken for the purpose of giving an opportunity of making the acquaintance of our visitors.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

After recess,

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act in relation to the salaries of the officers of the city of Brooklyn."

"An act making an appropriation to pay certain awards made by the Canal Appraisers, and to pay counsel employed on behalf of the State."

"An act reappropriating moneys for the reconstruction of the Oneida Lake canal."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Fay, from said committee, reported progress on said first mentioned bill, and asked and obtained leave to sit again.

Mr. Fish moved that the committee of the whole be discharged from the further consideration of said bill and that the same be referred to a select committee consisting of the Kings county delegation, and to report back to this House complete within one week.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Fay, from said committee, also reported progress on said second mentioned bill, and asked and obtained leave to sit again.



On motion of Mr. Baker, and by unanimous consent, said bill was ordered to a third reading.

Mr. Fay, from said committee, also reported in favor of the passage of said third mentioned bill; which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Husted moved that the House do now adjourn to meet at 10 o'clock to-morrow morning.

Mr. Purdy moved that the House do now adjourn.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Purdy, and it was determined in the affirmative.

Whereupon, the House adjourned.

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### THURSDAY, APRIL 12, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Wm. J. Tilley.

The journal of yesterday was read and approved.

By unanimous consent,

Mr. Herrick offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of bill No. 488, entitled "An act to amend acts in relation to the laws of the city of Albany," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Langbein introduced a bill entitled "An act authorizing the Adjutant-General, the Inspector-General and the Commissary-General to audit the claim of the Ninth regiment, National Guard of the State of New York, for uniforms and equipments worn out in the United States service during the late war," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

By unanimous consent,

Mr. J. S. Graham introduced a bill entitled "An act to amend article 2 of title 10, of chapter 8 of part 3 of the Revised Statutes, relating to summary proceedings to recover the possession of land," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Husted, and by unanimous consent, the committee of the whole was discharged from the further consideration of the Senate bill entitled "An act to enable the Orphan's Home and Asylum of the Protestant Episcopal Church, in New York, to acquire and hold real estate, each to the amount of \$300,000," and the same was ordered to a third reading.

By unanimous consent,

Mr. Smith offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the Secretary of State be requested to ascertain and report to this House the probable cost of the printing and binding of the result of the census of 1875, and of the distribution of the same, in the same manner as the census of 1865 was printed, bound and distributed.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Fish offered for the consideration of the House a resolution, in the words following :

*Resolved*, That bill No. 433, entitled "An act in relation to repaving Hudson avenue in the city of Albany," be recommitted to the committee on affairs of cities, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. O'Hare introduced a bill entitled "An act to protect the people against monopolies in this and other States," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

By unanimous consent,

Mr. E. Case, offered for the consideration of the House a resolution, in the words following :

*Resolved*, That the committee of the whole be discharged from the further consideration of bill No. 410, entitled "An act in relation to the American Board of Commissioners for Foreign Missions," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof. .

By unanimous consent,

Mr. Strahan called from the table the report of the committee on the judiciary, in the words following :

"Mr. Strahan from the committee on the judiciary, to which was referred the resolution directing an inquiry into the condition of the Supreme Court in the sixth judicial district, the causes of failures of courts therein, and as to the deficiency of the judicial force therein, submit the following report :

"That they have had the same under consideration, have taken testimony relating thereto sufficiently establishing, presumptively, at least, the fact that Ransom Balcom, a justice of the Supreme Court of the sixth judicial district of this State, is incapacitated by reasons of permanent prostration of his mental faculties, to discharge the functions of his office, in consequence whereof is occasioned serious obstruction in the administration of justice in said district, greatly impairing the efficiency of the judicial department, and your committee are of the opinion that proceedings should be instituted for his removal, pursuant to article 6, section 11 of the Constitution.

"The evidence taken is subjoined.

"Your committee also present for the consideration of the Assembly, the following joint resolution :

"*Resolved* (if the Senate concur), That the judiciary committee of the two Houses constitute a joint committee, to prepare charges upon the evidence already received by the judiciary committee of the Assembly (supplemented by further evidence, if said joint committee shall deem it

requisite), and shall cause a copy of the charges to be served upon Ransom Balcom, a justice of the Supreme Court of the sixth judicial district, as grounds for his removal from office by concurrent resolution of both Houses of the Legislature, and shall fix a time and place for the hearing and investigation thereof before said joint committee. Notice of such hearing to be served with the said copy of charges, and that reasonable opportunity, consistent with the exigency of the public interests, be given to said incumbent to make answer to said charges, to produce witnesses in his behalf, to cross-examine those offered in support of the charges, and to be heard in his defense; and in case the said incumbent shall fail to appear in person or by counsel, and the said committee should have reason to believe that such failure to appear was occasioned by causes the same as preferred in the charges aforesaid, then said committee are instructed to invite some associate justice of the Supreme Court to appear in person before them, to take care of the interests of the said incumbent in the premises.

"The committee are hereby authorized to take testimony in the proceedings, to send for persons and papers, to employ a stenographer, and are required to report their report their opinion as the result of their deliberations, and to transmit all the evidence at as early a day as convenient.

"ROBERT H. STRAHAN,

"JOHN T. HOGEBOOM,

"A. B. HEPBURN,

"J. E. B. SANTEE,

"J. C. JULIUS LANGBEIN,

"W. B. RUGGLES,

"S. B. PIPER,

"H. H. ROCKWELL,

*Committee."*

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Nachtmann introduced a bill entitled "An act to legalize the acts of boards of excise throughout this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Cowdin offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the committee of the whole be discharged from the further consideration of bill No. 466, entitled "An act to facilitate the establishment of a botanical garden in the city of New York," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent,

Mr. Hepburn introduced a bill entitled "An act to legalize the official acts of the justices of the peace of the several counties of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Senate returned the bill entitled "An act respecting the power of the Union Home and School for the education and maintenance of the children of our volunteers who are left unprovided for, to take and hold

real and personal estate," with a message informing that they had passed the same, with the following amendments:

Strike out section 1 and insert in lieu thereof the following:

SECTION 1. Section 3 of chapter 420 of the Laws of 1862, entitled "An act to incorporate the Union Home and School for the education and maintenance of the children of volunteers," is hereby further amended so as to read as follows:

§ 3. For the objects designated in the first section of this act, or for any purpose connected with such objects, the said corporation is hereby authorized and empowered to take and hold real estate, by purchase, gift, grant, devise or bequest, subject to and upon the conditions contained in chapter 360 of the Laws of 1860, entitled "An act relating to wills," and to sell, lease, mortgage or otherwise dispose of the same; provided the net annual income derived from such real and personal estate shall not exceed the sum of one hundred thousand dollars.

Amend the title so as to read "An act further to amend chapter 420 of the Laws of 1862, entitled 'An act to incorporate the Union Home and School for the education and maintenance of the children of volunteers.'"

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 89 }  
{ NOES 00 }

Those who voted in the affirmative, were

Backenstose	Cozans	Maher	Shanley
Baker	Crowley	Marvin	Shannon
S. Baldwin	Davenport	Maynard	Skinner
M. L. Baldwin	Dillmeier	McGraw	Speaker
Barnes	Fish	McGroarty	Spicer
Benedict	Flecke	McKee	Stephenson
Billings	Floyd-Jones	Moller	Stone
Billington	Gallagher	Moore	Strahan
Bissell	J. S. Graham	Neilson	Suydam
Bowen	Gulick	Noyes	Tabor
Braman	Hammond	O'Hare	Taylor
Brick	Hepburn	Orr	Thistlethwaite
Brill	Herrick	Peck	Tighe
J. S. Brown	Herbst	Piper	Valentine
Bulmer	Hodges	Post	Waddell
E. Case	Humphrey	Rice	Webb
G. M. Case	King	H. H. Rockwell	Weiant
T. A. Case	Lang	W. L. Rockwell	Welsh
Clapp	Langbein	Ruggles	Wemple
Clark	Langner	Sager	Wickes
Corbett	Longyear	Sanders	Williams
Corsa	Lyon	Santee	Winch
Cowdin			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned the bill entitled "An act to amend chapter 435 of

the Laws of 1868, entitled 'An act to incorporate the village of Hamilton, in the county of Madison, and repeal its present charter,' and to repeal chapter 250 of the Laws of 1870, chapter 18 of the Laws of 1874, and chapter 142 of the Laws of 1875," with a message informing that they had passed the same, with the following amendments:

Section 16, line 2, after the word "seventy," insert the words "entitled An act to amend an act entitled An act to incorporate the village of Hamilton, in the town of Hamilton, in the county of Madison, and to repeal its present charter." Line 2, same section, after the word "four," insert the words "entitled An act to amend chapter 435 of the Laws of 1868, entitled An act to incorporate the village of Hamilton, in the county of Madison, and to repeal its present charter." Line 4, same section, after the word "seventy-five," insert the words "entitled An act to amend chapter 435 of the Laws of 1868, entitled An act to incorporate the village of Hamilton, in the county of Madison, and to repeal its present charter."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Backenstose	Cowdin	Lyon	Sanders
Baker	Crowley	Maher	Santee
S. Baldwin	Davenport	Marvin	Shanley
M. L. Baldwin	Dillmeier	Maynard	Shannon
Barnes	Fay	McFalls	Sheldon
Benedict	Fish	McGraw	Skinner
Billings	Gallagher	McGroarty	Speaker
Billington	Galvin	McKee	Spicer
Bissell	J. S. Graham	Moller	Stein
Bradley	Gulick	Moody	Stephenson
Braman	Hamilton	Moore	Stone
Brill	Hammond	Morey	Tabor
J. S. Brown	Hayes	Neilson	Taylor
Bulmer	Herrick	Niven	Thistlethwaite
E. Case	Herbst	O'Hare	Tighe
G. M. Case	Hodges	Orr	Valentine
T. A. Case	Hogeboom	Piper	Webb
Clapp	Humphrey	Potter	Wemple
Clark	Keator	Rice	Wickes
Corsa	King	H. H. Rockwell	Williams
Coulter	Lang	W. L. Rockwell	Winch

*Ordered,* That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned the bill entitled "An act to repeal certain provisions of chapter 4 of the Laws of 1862, entitled 'An act to secure the better application of funds to relieve the poor in the town of Little Falls, Herkimer county, and to make the overseer of alms of said town

the overseer of the poor therein," with a message informing that they had passed the same, with the following amendments:

Strike out all of section 2, and insert in lieu thereof the following:

§ 2. The officer known as overseer of alms in the town of Little Falls shall be hereafter known and designated as overseer of the poor of the town of Little Falls, and so far as relates to relief chargeable to the county and to towns other than Little Falls, he shall have the same powers and duties as are vested in the overseers of the poor in other towns in said county, and no other; in relation to relief of the poor chargeable to the town of Little Falls, his powers and duties remain unchanged.

Amend the title by adding at the end thereof the words "and to make the overseer of alms of said town the overseer of the poor therein."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Backenstose	Crowley	Langbein	W. L. Rockwell
Baker	Davenport	Longyear	Rooney
S. Baldwin	Dillmeier	Lyon	Sanders
M. L. Baldwin	Dimond	Maher	Santee
Barnes	Fish	Marvin	Shanley
Benedict	Flecke	McFalls	Skinner
Billings	Floyd-Jones	McGroarty	Speaker
Billington	Gallagher	McKee	Spicer
Bradley	Galvin	Moller	Stephenson
Braman	J. S. Graham	Moore	Stone
Brick	Gulick	Morey	Suydam
Brill	Hamilton	Neilson	Taylor
J. S. Brown	Hammond	Niven	Thistlethwaite
E. Case	Herrick	O'Hare	Tighe
G. M. Case	Herbst	Orr	Valentine
T. A. Case	Hodges	Peck	Weiant
Clapp	Hogeboom	Piper	Wemple
Clark	Humphrey	Proper	Wickes
Corsa	King	Rice	Williams
Coulter	Lang	H. H. Rockwell	Winch
Oozans			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned the bill, entitled "An act to amend chapter 335 of the Laws of 1871, entitled 'An act to authorize the appointment of a person to be public administrator in the county of Kings, and to determine the powers and duties of such officer,'" with a message informing that they had passed the same with the following amendment:

Section 1, line 13, after the word "intestate," insert the words "resident in the State."

The amendment having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the

members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Backenstose	Davenport	Longyear	Sanders
Baker	Dillmeier	Lyon	Santee
S. Baldwin	Flecke	Maher	Shanley
M. L. Baldwin	Floyd-Jones	Marvin	Skinner
Barnes	Gallagher	McGraw	Sliter
Benedict	Galvin	McKee	Smith
Berrigan	Gere	Moller	Spicer
Billings	J. S. Graham	Moody	Stephenson
Billington	Gulick	Moore	Stone
Braman	Hamilton	Morey	Suydam
Brick	Hammond	Neilson	Tabor
J. S. Brown	Healy	Noyes	Taylor
Bulmer	Herrick	O'Hare	Thistlethwaite
Burns	Herbst	Orr	Valentine
E. Case	Hogeboom	Piper	Waddell
G. M. Case	Humphrey	Rice	Webb
T. A. Case	Keator	H. H. Rockwell	Weiant
Clapp	King	W. L. Rockwell	Wemple
Coulter	Lang	Ruggles	Williams
Crowley	Langbein	Sager	Winch

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendment.

The Senate returned the bill entitled "An act further to amend chapter 280 of the Laws of 1852, entitled 'An act further to amend the act entitled An act authorizing the incorporation of rural cemetery associations,' passed April 27, 1847," with a message informing that they had passed the same, with the following amendments:

Section 1, line 4, strike out the words "shall be and." Line 9, after the word "circulation," insert the words "published in the county where said lands are situated."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 84 }  
{ NOES 1 }

Those who voted in the affirmative, were

Backenstose	Cozans	Maher	Santee
Baker	Davenport	Maynard	Shanley
S. Baldwin	Dillmeier	McFalls	Shannon
M. L. Baldwin	Flecke	McGraw	Skillman
Barnes	Floyd-Jones	McGroarty	Skinner
Berrigan	Gallagher	McKee	Sliter
Billington	Galvin	Moller	Smith
Bissell	Gere	Moody	Spicer
Bradley	Gilbert	Moore	Stephenson

'Braman	Gulick	Morey	Stone
Brill	Hammond	Neilson	Taylor
J. S. Brown	Herrick	Niven	Thistlethwaite
Bulmer	Herbst	O'Hare	Tighe
Burns	Hodges	Orr	Waddell
E. Case	Humphrey	Potter	Webb
G. M. Case	Husted	Rice	Weiant
T. A. Case	Keator	H. H. Rockwell	Welsh
Clapp	King	W. L. Rockwell	Wemple
Corbett	Langbein	Ruggles	Wickes
Corsa	Langner	Sager	Williams
Coulter	Longyear	Sanders	Winch

For the negative,

Grady

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned the bill entitled "An act to amend chapter 44 of the Laws of 1828, entitled 'An act relative to the common school fund of Edmeston, in the county of Otsego,'" with a message informing that they had passed the same, with the following amendments:

Section 6, line 1, after the words "section seven of," insert the words "chapter forty-four of the Laws of eighteen hundred and twenty eight, entitled An act relative to the common school fund of Edmeston, in the county of Otsego."

Amend the title by adding thereto the words "and supplementary thereto."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Backenstose	Crowley	Langbein	Sager
Baker	Davenport	Longyear	Sanders
S. Baldwin	Dillmeier	Lyon	Santee
M. L. Baldwin	Flecke	Maher	Shanley
Barnes	Floyd-Jones	Maynard	Shannon
Benedict	Gallagher	McFalls	Sheldon
Berrigan	Galvin	McGraw	Skillman
Billington	Gere	McKee	Skinner
Bradley	Gilbert	Moody	Speaker
Braman	J. S. Graham	Moore	Spicer
Brick	Gulick	Morey	Stephenson
J. S. Brown	Hamilton	Neilson	Stone
Bulmer	Hammond	Noyes	Suydam
E. Case	Healy	O'Hare	Taylor
G. M. Case	Hepburn	Orr	Thistlethwaite
T. A. Case	Herrick	Peck	Valentine
Clapp	Hodges	Piper	Webb
Corsa	Humphrey	Potter	Weiant



Coulter	Keator	Rice	Wemple
Cowdin	King	H. H. Rockwell	Wickes
Cozans	Lang	W. L. Rockwell	Winch

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned the bill entitled "An act to amend chapter 395 of the Laws of 1859, entitled 'An act in relation to the colonial history of the State, and the natural history thereof,'" with a message informing that they had passed the same, with the following amendment:

Add at the end of section 1 the words "and the conditions applicable to colleges, academies and scientific institutions shall be extended to the author of said volumes of natural history, who shall have the privilege of purchasing such copies, not exceeding one hundred in number, of any and every volume, as he may need for completing any sets in his possession and for presentation to scientific correspondents and societies."

The amendment having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 82 }  
{ NOES 00 }

Those who voted in the affirmative, were

Backenstose	Davenport	Lyon	Sanders
Baker	Dillmeier	Maher	Santee
S. Baldwin	Dimond	Marvin	Shanley
M. L. Baldwin	Fish	Maynard	Shannon
Barnes	Flecke	McFalls	Skillman
Berrigan	Floyd-Jones	McGraw	Skinner
Billings	Gallagher	McKee	Sliter
Billington	Gere	Moller	Smith
Bradley	Gilbert	Moody	Spicer
Braman	J. S. Graham	Moore	Stone
Brick	Gulick	Morey	Suydam
J. S. Brown	Hamilton	O'Hare	Taylor
Burns	Hammond	Orr	Thistlethwaite
E. Case	Herrick	Peck	Valentine
G. M. Case	Herbst	Piper	Waddell
T. A. Case	Hogeboom	Rice	Webb
Clapp	Humphrey	H. H. Rockwell	Weiant
Clark	Keator	W. L. Rockwell	Wickes
Corsa	King	Ruggles	Williams
Coulter	Langbein	Sager	Winch
Cowdin	Longyear		

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendment.

The Senate returned the bill entitled "An act to amend chapter 68 of the Laws of 1860, entitled 'An act to consolidate and amend the several acts relating to the village of Catskill,'" with a message informing that they had passed the same, with the following amendments:

Section , line 4, strike out the words "passed March fourteen, eighteen hundred and sixty."

Amend the title by striking out the words "passed March fourteenth, eighteen hundred and sixty."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }  
{ NOES 00 }

Those who voted in the affirmative, were

Backenstose	Dillmeier	Maher	Santee
Baker	Fish	Marvin	Shanley
S. Baldwin	Flecke	Maynard	Shannon
M. L. Baldwin	Floyd-Jones	McFalls	Sheldon
Barnes	Gallagher	McGraw	Skinner
Benedict	Galvin	McKee	Smith
Billings	Gere	Moller	Spicer
Billington	J. S. Graham	Moody	Stephenson
Bradley	Gulick	Moore	Stone
Braman	Hamilton	Morey	Suydam
Brick	Herrick	Neilson	Taylor
J. S. Brown	Herbst	O'Hare	Thistlethwaite
Burns	Hodges	Orr	Tighe
E. Case	Humphrey	Peck	Valentine
G. M. Case	Keator	Piper	Waddell
T. A. Case	King	Rice	Webb
Clark	Lang	H. H. Rockwell	Weiant
Corbett	Langbein	W. L. Rockwell	Welsh
Coulter	Langner	Ruggles	Williams
Cozans	Longyear	Sanders	Winch
Davenport			

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned the bill entitled "An act to amend chapter 555, Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,' passed May 2, 1864," with a message informing that they had passed the same, with the following amendments:

Section 1, line 3, after the words "sixty-five," insert the words "except so far as it affects the towns of Cortland and White Plains, in the county of Westchester."

Amend the title by striking out the words "passed May 2, 1864."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }  
{ NOES 00 }

Those who voted in the affirmative, were

Backenstose	Davenport	Marvin	Sager
Baker	Dillmeier	Maynard	Sanders
S. Baldwin	Flecke	McFalls	Shannon

M. L. Baldwin	Floyd-Jones	McGraw	Sheldon
Barnes	Gallagher	McGroarty	Skillman
Benedict	Galvin	McKee	Skinner
Billings	Gilbert	Moller	Smith
Bradley	J. S. Graham	Moody	Spicer
Braman	Gulick	Moore	Stephenson
Brick	Hamilton	Morey	Suydam
J. S. Brown	Hayes	Noyes	Taylor
E. Case	Herrick	O'Hare	Thistlethwaite
G. M. Case	Humphrey	Orr	Tighe
T. A. Case	Keator	Peck	Valentine
Clapp	King	Piper	Webb
Corbett	Lang	Post	Weiant
Corsa	Langbein	Rice	Welsh
Cowdin	Langner	H. H. Rockwell	Wickes
Cozans	Longyear	W. L. Rockwell	Williams
Crowley	Lyon	Ruggles	Winch

*Ordered*, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act further to amend chapter 510 of the Laws of 1869, entitled 'An act to amend an act entitled An act to amend an act entitled An act to incorporate the village of Flushing, passed April 15, 1837, and the several acts amendatory thereof,' passed March 20, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. J. S. Graham presented the report of the sub-committee of the whole; which was laid on the table and ordered printed.

(See *Doc. No. 107.*)

Mr. Speaker announced the special order of the day, being the bill entitled "An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year commencing on the first day of October, 1877."

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year commencing on the first day of October, 1877."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Hayes, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Baker moved that the committee of the whole be discharged from the further consideration of said bill and that the same be ordered to a third reading with the amendments adopted in committee of the whole.

Mr. Baker moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Baker, and it was determined in the affirmative, and said bill ordered engrossed for a third reading.

Mr. Husted moved that the time of this session be extended for the purpose of introduction of bills and messages from the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

By unanimous consent,

Mr. O'Hare introduced a bill entitled "An act to legalize and confirm the official acts of the board of excise in the city of New York in the matter of granting licenses to dealers in liquors in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The hour of 2 o'clock having arrived, the House took a recess until 8 o'clock P. M.

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### EIGHT O'CLOCK P. M.

The House again met.

Indefinite leave of absence was granted to Mr. T. A. Case.

By unanimous consent,

Mr. McKee offered for the consideration of the House a resolution, in the words following:

*Resolved*, That Senate bill No. 98, entitled "An act to amend chapter 371 of the Laws of 1875, entitled 'An act to conform the charters of all savings banks or institutions for savings to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision and for the administration of their affairs,'" be substituted for Assembly bill No. 280, now on general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to amend chapter 675 of the Laws of 1872, entitled 'An act in relation to elections in the city and county of New York, and to provide for ascertaining, by proper proofs, the citizens who shall be entitled to the right of suffrage thereat,' and the act or acts amendatory thereof or supplementary thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to further amend chapter 35 of the Laws of 1873, entitled 'An act to re-enact and amend an act entitled 'An act to incorporate the city of Yonkers,' passed June 1, 1872,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

A message from the Senate was received and read informing of concurrence in the passage of the bill entitled as follows:

"An act to incorporate the fire department of the village of Plattsburgh."

*Ordered*, That the Clerk deliver said bill to the Governor.

Mr. Speaker and the Clerk presented the following bills as referred to the sub-committee of the whole:

Senate, G. O. 533, No. 191, "An act to release and convey to Mary Graham, the interest of the people of the State of New York in certain real estate."

G. O. 525, No. 472, "An act to amend the charter of the village of Edgewater."

G. O. 539, No. 482, "An act in relation to the floating debt of the village of Edgewater."

G. O. 580, No. 510, "An act to establish the boundaries of school district No. 5 of the town of Flushing, and to provide for the collection of school taxes therein, and conferring additional powers and duties upon the board of education of said district."

G. O. 277, No. 275, "An act to validate and confirm the title to certain real estate in the city of New York."

G. O. 498, No. 451, "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors.'"

G. O. 391, No. 373, "An act to amend an act entitled 'An act relating to fares for carrying passengers on street railroads in the city of Buffalo.'"

G. O. 538, No. 481, "An act to amend chapter 514 of the Laws of 1875, entitled 'An act to provide for the election of police justices in villages.'"

G. O. 334, No. 824, "An act to confer the powers of harbor master on the police patrolmen detailed to certain docks and piers in said city by the board of commissioners of police and excise of the city of Brooklyn."

G. O. 424, No. 405, "An act to protect salmon-trout in Lake Awosting, otherwise called Long Pond, and brook trout in the Beerkill, in the county of Ulster."

G. O. 181, No. 195, "An act to change the time for electing directors of the Hanover Fire Insurance Company."

G. O. 452, No. 423, "An act to provide for stability of construction and security against conflagration, panic or other accident in theaters hereafter to be erected in the city of New York."

G. O. 417, No. 400, "An act relative to the bonded indebtedness of cities, villages, towns and counties."

G. O. 505, No. 458, "An act to legalize and confirm the titles of Edwin Carr and Maurice Nelan, to certain lands situate in Bethany, Genesee county, New York, which were heretofore conveyed to them by the superintendents of the poor of said county."

G. O. 553, No. 493, "An act to provide for paying for services and materials furnished in caring for and burying certain members of the national guard killed and wounded in the public service."

Senate, G. O. 476, No. 22, "An act to authorize the city of Utica to borrow money for the purpose of erecting a police station-house and lock-up therein, and to make necessary repairs to the city hall building."

Senate, G. O. 471, No. 156, "An act to confer additional powers upon the recorder of the city of Utica."

G. O. 451, No. 422, "An act to authorize the city of Newburgh to borrow money and issue bonds therefor, for the payment of certain water bonds of said city heretofore issued, and to provide for the payment thereof."

G. O. 543, No. 486, "An act relative to summary proceedings to recover the possession of lands for non-payment of rent, and for holding over after expiration of term, in the city of New York."

G. O. 69, No. 99, "An act to amend chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plank-roads and turnpikes.'"

G. O. 436, No. 412, "An act to amend chapter 330, Laws of 1873, entitled 'An act to amend the charter of the village of Deposit, situated

partly in the town of Sanford, Broome county, and partly in the town of Tompkins, Delaware county, and to revise and compile the several acts relative to said village,' passed April 29, 1873."

G. O. 526, No. 473, "An act granting certain powers and authority to the trustees of the Harpersville Cemetery Association, in the town of Colesville, Broome county, New York, and to the supervisor of said town."

Senate, G. O. 462, No. 144, "An act to amend chapter 564 of the Laws of 1872, entitled 'An act to amend the charter of the village of Carthage, Jefferson county.'"

Senate, G. O. 567, No. 115, "An act to authorize the town of Wilna, in the county of Jefferson, to reissue bonds to redeem and pay the bonds issued by said town in aid of the Utica and Black River Railroad Company, by virtue of chapter 624 of the Laws of 1866."

G. O. 563, No. 500, "An act to amend section 3 of chapter 714 of the Laws of 1869, entitled 'An act to incorporate the city of Watertown.'"

G. O. 385, No. 369, "An act to amend chapter 75 of the Laws of 1876, entitled 'An act to amend chapter 94 of the Laws of 1875, entitled An act to further amend chapter 680 of the Laws of 1871, entitled An act in relation to the location and erection of public buildings for the use of Erie county and the city of Buffalo, also to amend chapter 680 of the Laws of 1871, entitled An act in relation to the location and erection of public buildings for the use of Erie county and the city of Buffalo.'"

G. O. 438, No. 414, "An act supplementary to chapter 275 of the Laws of 1859, entitled 'An act to amend an act incorporating the village of Plattsburgh, and the several acts amendatory thereof, and to extend the powers of the corporation of said village.'"

G. O. 290½, No. 307, "An act relating to the collection of taxes in the town of Plattsburgh, in the county of Clinton."

G. O. 402, No. 386, "An act to repeal section 51, of chapter 505 of the Laws of 1873, entitled 'An act to reorganize the village of Gloversville.'"

G. O. 423, No. 404, "An act to amend section 9 of chapter 86 of the Laws of 1855, entitled 'An act to amend an act to provide for the incorporation of villages,' passed December 7, 1847, so far as relates to the village of Niagara City, in the county of Niagara."

G. O. 437, No. 413, "An act authorizing the trustees of the village of Saratoga Springs to make certain expenditures for the purpose of purchasing hose and erecting a fire alarm telegraph."

G. O. 199, No. 209, "An act to repeal an act entitled 'An act to widen and improve North Second street in the city of Brooklyn,' passed April 19, 1871."

Senate, G. O. 472, No. 119, "An act to confirm the official acts of William J. Merritt as notary public of Kings county."

G. O. 377, No. 361, "An act to amend chapter 182 of the Laws of 1863, entitled 'An act to make separate road districts of parts of the towns of Castleton, Middletown and Southfield, in the county of Richmond, and to provide for the drainage of the same.'"

G. O. 367, No. 354, "An act to authorize the town of Northfield, in the county of Richmond, to raise money to macadamize two public roads in said town and to provide for the macadamizing thereof."

G. O. 482, No. 439, "An act to provide for the enlargement of the school-house site of joint school district No. 9 of the towns of Ellery and Gerry, in the county of Chautauqua."

G. O. 401, No. 385, "An act to amend chapter 24 of the Laws of 1870,

entitled 'An act to amend an act entitled An act to amend the charter of the village of Dunkirk,' passed April 20, 1867.'"

G. O. 481, No. 428, "An act to extend the limits of union free school district No. 1 of the town of Ellicott, Chautauqua county, and to authorize the board of education to employ a superintendent, and fix the time of holding their annual school meeting."

G. O. 273, No. 271, "An act to repeal chapter 332 of the Laws of 1871, entitled an act for the relief of the Bath Library Association,' passed April 6, 1871."

G. O. 421, No. 402, "An act providing for the use of a portion of Washington square at Stapleton, in the village of Edgewater, town of Middletown, and county of Richmond, as a site for a county courthouse."

Senate, G. O. 534, No. 203, "An act to release and convey to Caroline Kertz the interest of the people of the State of New York in certain real estate in the city of Brooklyn."

G. O. 183, No. 197, "An act to amend chapter 482 of the Laws of 1875, entitled 'An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors,' passed June 5, 1875."

G. O. 397, No. 380, "An act to amend an act entitled 'An act for the better protection of seamen in the port and harbor of New York,' passed March 21, 1866."

G. O. 398, No. 382, "An act to amend chapter 818 of the Laws of 1868, entitled 'An act to incorporate the village of Portchester,' passed May 14, 1868."

G. O. 408, No. 392, "An act for the further protection of male employes in the city of New York."

G. O. 399, No. 383, "An act to amend chapter 330 of the Laws of 1850, entitled 'An act reincorporating the village of Little Falls by the name of Rockton, and the laws amendatory thereof."

G. O. 467, No. 431, "An act to exclude from the right of suffrage any person convicted of having received a bribe for voting."

G. O. 493, No. 448, "An act to provide for the payment of bonds heretofore issued by the village of Middletown, in the county of Orange."

G. O. 486, No. 442, "An act to protect persons purchasing sewing machines."

G. O. 490, No. 445, "An act to authorize the trustees of the village of Skaneateles, in the county of Onondaga, and State of New York, to sell certain real estate and to raise money by tax for building an engine-house, and for other village purposes."

G. O. 491, No. 446, "An act to provide for lighting the streets in the village of Perry, in the county of Wyoming, State of New York."

G. O. 492, No. 447, "An act to authorize the village of Middletown to issue bonds."

G. O. 496, No. 450, "An act to empower the board of supervisors of Suffolk county to appoint three commissioners to locate an inlet from the Atlantic ocean to the Shinnecock bay in said county."

G. O. 500, No. 453, "An act to reduce the salary of the county judge of the county of Steuben."

G. O. 502, No. 455, "An act to legalize the official acts and proceedings of J. Henry Underhill, a justice of the peace of the town of Boston, in the county of Erie."

G. O. 540, No. 483, "An act to amend an act entitled 'An act to amend

the act entitled An act to revise, amend and consolidate the laws in relation to the village of Norwich, in the county of Chenango, passed March 23, 1857, and the acts amendatory thereto, passed April 3, 1867, passed April 26, 1871."

G. O. 542, No. 485, "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages.'"

G. O. 557, No. 495, "An act to repeal chapter 404 of the Laws of 1873, entitled 'An act for the relief of the inhabitants of union free school district No. 2, in the town of Newark Valley and the county of Tioga,' and to restore union free school district No. 2 in the town of Newark Valley as it existed before the passage of said act."

G. O. 576, No. 506, "An act to amend chapter 776 of the Laws of 1870, entitled 'An act to amend an act entitled An act to provide for the incorporation of villages, passed December 7, 1847,' and the several acts amendatory thereof, so far as the same relate to the village of Mount Vernon, in the county of Westchester, and to declare, enlarge and define the powers and duties of the officers of said village, and to confirm and extend the powers of the corporation of said village, passed May 10, 1870."

G. O. 578, No. 508, "An act providing for reports of births, deaths and marriages, the registry of vital statistics, and the regulation of interments."

G. O. 580, No. 510, "An act to establish the boundaries of school district No. 5 in the town of Flushing, and to provide for the collection of school taxes therein, and conferring additional powers and duties upon the board of education of said district."

G. O. 301, No. 292, "An act to amend chapter 252 of the Laws of 1857, entitled 'An act to incorporate the Genesee Camp Ground Association.'"

Senate, G. O. 506, No. 196, "An act to amend chapter 667 of the Laws of 1870, entitled 'An act to incorporate the Brooklyn Library Building Fund Association, of the Eastern District.'"

Senate, G. O. 585, No. 192, "An act to amend chapter 512 of the Laws of 1867, entitled 'An act to incorporate the village of Hart's Falls, in the county of Rensselaer.'"

Senate, G. O. 541, No. 235, "An act to amend chapter 90 of the Laws of 1865, entitled 'An act to amend and consolidate the several acts relating to the village of Illion.'"

Senate, G. O. 439, No. 143, "An act to increase the number of firemen in the village of Canandaigua."

Senate, G. O. 427, No. 137, "An act to authorize the appointment and provide for the compensation of a stenographer of the special terms of the Supreme Court held in the county of Westchester."

Senate, G. O. 461, No. 131, "An act to amend chapter 683 of the Laws of 1871, entitled 'An act amending, revising and consolidating the several acts in relation to the village of Greenbush,' passed March 22, 1854, and April 29, 1863."

Senate, G. O. 473, No. 133, "An act to legalize the proceedings of the annual town meeting of the town of Westchester, in the county of Westchester, in relation to the purchase of fire apparatus, and to provide for carrying the same into effect."

Senate, G. O. 524, No. 71, "An act in relation to the compensation of overseer of the poor, town clerk and commissioner of highways in the town of Saugerties, Ulster county."

Senate, G. O. 527, No. 114, "An act to repeal chapter 142 of the Laws



of 1873, entitled 'An act to amend chapter 97 of the Laws of 1869, entitled An act to incorporate the trustees of the Minard fund for the benefit of widows and orphans of deceased preachers of the Genesee annual conference.'"

Senate, G. O. 528, No. 106, "An act to amend chapter 323 of the Laws of 1853, entitled 'An act to authorize religious corporations to change their names.'"

Senate, G. O. 529, No. 209, "An act to amend chapter 176 of the Laws of 1876, entitled 'An act supplementary to chapter 60 of the Laws of 1813, entitled An act to provide for the incorporation of religious societies,' and the acts supplementary thereto."

G. O. 549, No. 489, "An act relating to the payment of assessments for local improvements in the city of Brooklyn."

G. O. 523, No. 471, "An act authorizing licenses to tavern keepers without including a license to sell spirituous or intoxicating liquors."

G. O. 287, No. 279, "An act to change the bulk-head and pier lines for Newtown creek in the port of New York."

G. O. 149, No. 163, "An act to authorize the clerk to the surrogate's court of the county of New York to sign any of the records of said court and to sign and issue any order to show cause where no injunction or stay of proceedings is granted thereby."

Senate, G. O. 585, No. 32, "An act to amend chapter 288 of the Laws of 1874, entitled 'An act to incorporate societies for the improvement of poultry, small birds, domestic animals, and fish culture.'"

On motion of Mr. Bulmer, and by unanimous consent, the Senate bill entitled "An act to amend chapter 159 of the Laws of 1873, entitled 'An act authorizing the election of a police justice in the town of Newtown, Queens county, and prescribing his duties and compensation,'" was ordered to a third reading.

Mr. Strahan moved that the bill entitled "An act relating to the redemption of lands sold under decrees of foreclosure in the counties of New York and Kings," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Gilbert moved that the bill entitled "An act to amend section 2 of chapter 180 of the Laws of 1875, entitled 'An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties,'" be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Corsa moved that the bill entitled "An act relative to summary proceedings to recover the possession of lands for non-payment of rent, and for holding over after expiration of term, in the city of New York," be referred to the sub-committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act to authorize the commissioners of the town of Diana, in the county of Lewis, appointed under chapter 115 of the Laws of 1868, to issue bonds for the purpose of raising funds with which to pay the bonds of said town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The private secretary of his Excellency the Governor, appeared in the Assembly Chamber, and presented two messages in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }  
ALBANY, April 12, 1877. }

*To the Assembly:*

I return, without approval, bill No. 86, entitled "An act to provide for the construction of fishways in the State dams across the Oswego, Oneida and Seneca rivers.

Since the appointment of the commissioners of fisheries in 1868, the Legislature has appropriated over \$100,000 for replenishing the lakes and rivers of this State with fish. I understand there is an appropriation of \$15,000 more in the supply bill of this year for the same purpose. With the appropriation of \$7,000 proposed by this bill, it will make \$22,000 for the present year. There can be no pressing necessity to warrant such an expenditure in the present condition of affairs. It cannot be done consistently with any claim to economy in the appropriation of public moneys. Moreover, if the work is to be done upon the dams constructed for canal purposes, it should be paid for from the canal fund and not by direct taxation. It is well known that the canal revenues are already inadequate to meet the demands upon them.

L. ROBINSON.

Mr. Baker moved to lay said message with the bill on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

STATE OF NEW YORK — EXECUTIVE CHAMBER, }  
ALBANY, April 12, 1877. }

*To the Assembly:*

I return, without my approval, bill No. 72, entitled "An act in relation to collectors and receivers of taxes."

This bill makes it the duty of collectors and receivers of taxes in the towns of this State to receive at par in payment of town, county and State taxes, orders issued by the board of supervisors upon the treasurer of the county in which said towns are located, providing said orders shall have been issued in due conformity with law.

This bill is probably the outgrowth of a custom prevailing in many parts of the State, by which the collectors receive these orders in payment of taxes where they know them to be correct. They are, of course, at liberty to refuse any order whenever they see fit to do so, and to demand current money. The present act, however, makes these orders a legal tender for taxes. The collector must receive them if they are legally issued.

The embarrassment and injustice of requiring tax collectors to pass on the validity of supervisors' orders must be apparent to every one. The certainty of frequent errors is equally manifest. In the very probable event of a collector's accepting an illegal order or refusing a valid one, serious questions would at once arise involving the respective liability of the tax-payer, the collector and his bondsmen. It is doubtful if collectors in large towns could procure sureties were this bill to become law. Annoying litigations would be its certain and speedy result. Nor would the bill afford any substantial relief. These orders are seldom presented by those to whom they are issued, but are bought up at a discount by those who are able to hold them until they are paid. The benefit arising from the act will, therefore, be conferred upon those

who least need it—the purchasers of those orders. To elevate them to the rank of legal tenders would open the door to fraud and error, besides starting vexing questions of benefit to no one and positively detrimental to the public interest.

L. ROBINSON.

Mr. Williams moved that the message with the bill be laid on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order of the day, being the bill entitled “An act to provide for the better protection of policyholders of life insurance policies.”

The House then resolved itself into a committee of the whole on the bill entitled as follows:

“An act to provide for the better protection of policyholders of life insurance companies.”

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Davenport, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Husted moved that said bill be committed to a select committee of 15, to consist of the insurance committee and six to be appointed by the Speaker, said committee to report back to the House said bill complete, retaining its place on general orders.

Mr. Fish moved to amend by striking out “15” and inserting “21,” to consist of the insurance committee and twelve to be appointed by the Speaker, said committee to report said bill back to the House in one week complete, with amendments adopted in committee of the whole, the same retaining its place on general orders.

Mr. Strahan moved the previous question.

Mr. Speaker put the question, “Shall the main question be now put?” and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Fish, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Husted, and it was determined in the affirmative.

{ AYES 56 }  
{ NOES 35 }

Those who voted in the affirmative, were

Baker	Corsa	McFalls	Santee
S. Baldwin	Cowdin	McGraw	Skillman
Barnes	Davenport	McKee	Smith
Benedict	Ecclesine	Moore	Speaker
Berrigan	Fish	Morey	Stone
Bissell	Gilbert	Neilson	Strahan
Brick	Gulick	Noyes	Taylor
Brill	Hamilton	Peck	Thistlethwaite
J. H. Brown	Hayes	Potter	Valentine
J. S. Brown	Herriok	Purdy	Waddell
E. Case	Husted	Rice	Welsh
G. M. Case	King	H. H. Rockwell	Wickes
Childs	Lang	Rooney	Williams
Clapp	Marvin	Sanders	Winch

Those who voted in the negative, were

Bradley	Hogeboom	Moody	Spinola
Burns	Holahan	Nachtmann	Stein
Cozans	Humphrey	Niven	Stephenson
Dillmeier	Keator	Proper	Suydam
Fay	Langbein	Ruggles	Tighe
Floyd-Jones	Longyear	Sager	Webb
Galvin	Lyon	Shanley	Weiant
Grady	McGroarty	Sheldon	Wemple
J. G. Graham	Mitchell	Skinner	

Mr. Speaker announced the following as such committee: The present insurance committee consisting of Messrs. J. G. Graham, Cowdin, Husted, Lang, Skinner, Moody, Weiant, Coulter, Floyd-Jones, and Messrs. Gilbert, Peck, Fish, Purdy, Ecclesine and Rockwell.

The hour of 10 o'clock and 30 minutes having arrived, the House adjourned.

## FRIDAY, APRIL 13, 1877.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Selkirk.

The journal of yesterday was read and approved.

Mr. Speaker announced the appointment of Fred. M. McCloy as messenger of the committee on canals, in place of Charles R. Allen, resigned.

On motion of Mr. McGroarty and by unanimous consent, the bill entitled "An act to amend an act to amend the charter of the city of Brooklyn and the various amendments thereof, passed June 28, 1873, which act was amended by chapter 589 of the Laws of 1874, and chapter 633 of the Laws of 1875, and to further amend the charter of the city of Brooklyn," was ordered to a third reading.

On motion of Mr. Benedict, and by unanimous consent, the committee of the whole was discharged from the further consideration of bill No. 384, entitled "An act to amend chapter 385 of the Laws of 1867, entitled 'An act to incorporate the village of Warwick,' as amended by chapter 481 of the Laws of 1872," and the same was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }  
{ NOES 00 }

Those who voted in the affirmative, were

Daker	Crowley	Longyear	Sager
S. Baldwin	Davenport	Maher	Sanders
M. L. Baldwin	Dillmeier	Maynard	Santee
Barnes	Dimond	McFalls	Shanley

Benedict	Fay	McGraw	Shannon
Billings	Fish	McGroarty	Skillman
Bissell	Floyd-Jones	McKee	Skinner
Bowen	Gallagher	Moller	Sliter
Bradley	Galvin	Moore	Speaker
Braman	Gilbert	Morey	Spicer
Brill	J. G. Graham	Neilson	Stein
J. H. Brown	J. S. Graham	Noyes	Stephenson
J. S. Brown	Hammond	Orr	Stone
Bulmer	Hepburn	Peck	Suydam
E. Case	Herrick	Piper	Thistlethwaite
T. A. Case	Herbst	Post	Valentine
Clapp	Hodges	Potter	Waddell
Clark	Humphrey	Proper	Webb
Corbett	Keator	Rice	Weiant
Coulter	King	H. H. Rockwell	Wickes
Cowdin	Langbein	Ruggles	Winch

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Sliter, and by unanimous consent, the bill entitled "An act to amend chapter 683 of the Laws of 1871, entitled 'An act amending, revising and consolidating the several acts in relation to the village of Greenbush,' passed March 22, 1854, and April 29, 1863," was ordered to a third reading.

Mr. H. H. Rockwell introduced a bill entitled "An act to authorize the city of Elmira to issue bonds for the payment of certain other bonds of said city falling due on or before March 1, 1878," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Skinner introduced a bill entitled "An act to prevent frequent changes of text-books in public schools," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Sheldon introduced a bill entitled "An act classifying an appropriate name and style to the public offices of the State, located at the capital thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Cozans introduced a bill entitled "An act authorizing the State Treasurer and other State officers to publish in the State paper monthly statements of bank balances, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, when

On motion of Mr. Cozans, and by unanimous consent, said bill was ordered to a third reading.

Mr. Stein, on behalf of Mr. Flecke, introduced a bill entitled "An act to authorize the excise authorities to grant license to sell strong and spirituous liquors in quantities less than five gallons to places other than taverns, inns or hotels," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Speaker introduced a bill entitled "An act to authorize the city of Oswego to borrow money for the purpose of paying the floating debt of said city," which was read the first time, and by unanimous consent

was also read the second time, and referred to the committee on affairs of cities.

Mr. Hamilton introduced a bill entitled "An act to authorize the common council of the city of Kingston to appropriate \$1,000 towards the expenses of the centenary celebration to be held on the 30th day of July, 1877," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Moller introduced a bill entitled "An act to further amend chapter 11 of the Laws of 1849, entitled 'An act relating to highways in the towns of Eastchester and White Plains, passed January 24, 1849,' as amended by chapter 581 of the Laws of 1853, passed July 21, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Also, a bill entitled "An act to amend chapter 591 of the Laws of 1871, entitled 'An act in relation to the bonded debt of the town of Eastchester, county of Westchester, passed April 19, 1871,' as amended by chapter 28 of the Laws of 1872, passed February 8, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Flecke presented a petition of Tax-payers' Association of the Tenth, Eleventh and Seventeenth wards of the city of New York, urging repeal of the charter of the Gilbert elevated railroad; which was committed to the committee of the whole.

Mr. Williams presented a remonstrance of tax-payers of Busti against changing bounds of union school district No. 1 of town of Ellicott; which was read and referred to the sub-committee of the whole.

Mr. Gallagher presented a remonstrance of citizens of Buffalo against Assembly bill No. 377; which was committed to the committee of the whole.

Messrs. Skillman and Sheldon presented four remonstrances of citizens of Chenango and Madison against sale of Chenango canal; which was committed to the committee of the whole.

Mr. Speaker presented memorials of Board of Trade and Maritime Association in favor of passage of amendment to the Constitution relating to the government of cities; which was committed to the committee of the whole.

Mr. Speaker presented a memorial of Liquor Dealers' Association of Fourth Senate district, approved by board of aldermen of the city of New York, against passage of bill giving board of police commissioners of the city of New York power to grant licenses; which was committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Bulmer, Int. No. 842, entitled "An act to provide for the improvement of Flushing avenue, in Long Island City," reported adversely thereto, which report was agreed to.

Mr. Fish, from the committee on affairs of cities, reported for the consideration of the House a bill entitled "An act to amend chapter 667 of the Laws of 1872, entitled 'An act in relation to the cleaning of the streets, avenues, lanes, alleys, gutters, wharves, piers and heads of slips in the city of New York, and the removal of all ashes, garbage, rubbish and sweepings, and all dead animals, blood, offal and all other refuse matter, and all bones, fish not fit for human food, and all diseased, tainted and impure meats, and other like matters in said city, therefrom, and

in relation to the supervision and enforcement of and the cancellation of existing contracts and arrangements in respect thereto,' passed May 14, 1872," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole. (Messrs. Cowdin and Corsa dissented.)

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Nachtmann, Int. No. 212, entitled "An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873, and being chapter 335 of the Laws of 1873," reported the same for the consideration of the House.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Herrick, Int. No. 744, entitled "An act to amend chapter 77 of the Laws of 1870, section 4 of chapter 536 of Laws of 1871, and section 6 of chapter 302 of Laws of 1872, passed respectively April 15, 1871, and April 22, 1872, entitled 'An act to amend the act to combine into one act the several acts relating to the city of Albany,' passed April 12, 1842, and the several acts amendatory thereof, in so far as they relate to the city of Albany," reported in favor of the passage of the same, with amendments, the title amended so as to read "An act to amend chapter 77 of the Laws of 1870, entitled 'An act to amend the act to combine into one act the several acts relating to the city of Albany,' passed April 12, 1842, and the several acts amendatory thereof, in so far as they relate to the city of Albany," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Healy, Int. No. 517, entitled "An act to amend chapter 335 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York,' reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

(Messrs. Mitchell, McGroarty and Tabor dissented.)

Mr. Fish, from the committee on affairs of cities, to which was recommended the Senate bill entitled "An act to amend chapter 30 of the Laws of 1876, entitled 'An act to amend chapter 520 of the Laws of 1870, entitled An act to establish and maintain a police force in the city of Troy, and to increase the powers and duties of the police commissioners of said city,' passed February 28, 1876," retaining its place on general orders, reported in favor of the passage of the same, which report was agreed to.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill, entitled "An act to enable Long Island City to refund a portion of its Newtown debt," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill entitled "An act for the relief of Abel Crook," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Fish, from the committee on affairs of cities, to which was referred the Senate bill entitled "An act to authorize the trustees of the New York and Brooklyn bridge to change the site of a portion of Franklin street, between Pearl and Jacob streets, in the city of New York," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gilbert, from the committee on railroads, to which was referred the bill introduced by Mr. Williams, Int. No. 623, entitled "An act to amend section 47 of chapter 140 of the Laws of 1850, entitled 'An act to authorize the formation of railroad companies, and to regulate the same,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. J. G. Graham, from the committee on insurance, to which was referred the bill introduced by Mr. J. G. Graham, Int. No. 892, entitled "An act defining the duties of receivers of insolvent life insurance companies and regulating the distribution of the assets of said companies," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gallagher, from the committee on roads and bridges, to which was referred the bill introduced by Mr. E. Case, Int. No. 598, entitled "An act to exempt Oneida county from the provisions of chapter 440 of the Laws of 1873, requiring commissioners of highways to act as inspectors of plank-roads and turnpikes," reported adversely thereto, which report was agreed to.

Mr. Gallagher, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Bulmer, Int. No. 929, entitled "An act to amend chapter 760 of the Laws of 1872, entitled 'An act to provide for the improvement of a certain highway in the town of Newtown, Queens county, and the city of Brooklyn, Kings county, and for the payment of property taken for such improvement,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gallagher, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Sliter, Int. No. 876, entitled "An act to reduce the rates of tolls on the Webster Plankroad Association's road in Rensselaer county," reported adversely thereto.

Mr. Sliter moved to disagree with the report of the committee, and that said bill be committed to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said report, it was determined in the affirmative.

Mr. Gallagher, from the committee on roads and bridges, to which was referred the Senate bill entitled "An act to authorize the Union Plank-road Company, its lessees or assigns, to change the location of a part of the track of said road in the city of Kingston," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Gallagher, from the committee on roads and bridges, to which was referred the Senate bill entitled "An act to confirm the proceedings of the town meeting held in Geneva, authorizing the raising of money for road and bridge purposes," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Peck moved to take from the table the concurrent resolutions, in the words following:

*Resolved* (if the Assembly concur), That 500 copies of the proceedings of the University Convocation for 1876, annexed to the annual report of the Regents of the University be printed in the usual form for



the use of the Regents, provided the cost of printing shall not exceed ten cents per page per one hundred copies.

*Resolved* (if the Assembly concur), That 1,500 copies of the eighty-ninth and ninetieth reports of the Regents of the University on colleges and academies be printed in the usual form for the use of the Regents, provided that the cost of printing thereof shall not exceed ten cents per page per one hundred copies.

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

On motion of Mr. Peck, and by unanimous consent, said resolutions were referred to the committee on public printing.

A message from the Senate was received and read, requesting the concurrence of the Assembly to a resolution in the words following:

*Resolved* (if the Assembly concur), That a respectful message be sent to his Excellency the Governor asking the return of Senate bill No. 147, entitled "An act to authorize the police department or board of police of any city to appoint policemen of district telegraph companies," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have passed the same.

Mr. Smith, from the committee on public education, to which was referred the bill introduced by Mr. W. L. Rockwell, Int. No. 756, entitled "An act to further amend chapter 154 of the Laws of 1859, entitled 'An act to incorporate the trustees of Clarkson High School, and to provide for the management and support of such school,' passed April 6, 1859," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. J. S. Brown, from the committee on game laws, to which was recommitted the bill introduced by Mr. J. S. Brown, Int. No. 381, entitled "An act to further amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,' passed April 26, 1871," retaining its place on the order of third reading, reported in favor of the passage of the same, with amendments.

On motion of Mr. Hogeboom, and by unanimous consent, said bill was read a third time.

Mr. Brill moved to recommit said bill to the committee on game laws with instructions to amend as follows: Page 7, third paragraph, line 9, printed bill, strike out the words "in the waters of the Great South Bay."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Brill moved to recommit said bill to the committee on game laws with instructions to amend the same, and report forthwith, as follows: Page 7, line 16, after the word "State" insert the words "except within the limits of the county of Suffolk."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Lyon moved to recommit said bill to the committee on game laws, with instructions to amend the same in the words following, and report forthwith:

"§ 9. In any prosecution or trial under the provisions of this act, of any person for having in his possession any quadrupeds, birds, fish or

shell fish, in the months or parts of months when by law he is forbidden to have the same, it shall be lawful to be shown in evidence that the quadrupeds, birds, fish or shell fish in question were not taken or killed within the time prohibited by law, or were not taken or killed within this State; and such fact, when proved to the satisfaction of the court having jurisdiction of the offense alleged, shall be a sufficient defense to such action."

Mr. Husted moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Lyon, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 88 }  
} NOES 11 }

Those who voted in the affirmative, were

Alvord	Filkin	Longyear	W. L. Rockwell
Baker	Fish	Maher	Sager
S. Baldwin	Floyd-Jones	Marvin	Sanders
M. L. Baldwin	Gallagher	McFalls	Shannon
Barnes	Galvin	McGroarty	Skillman
Berrigan	Gere	McKee	Skinner
Braman	Grady	Mitchell	Sliter
Brick	J. G. Graham	Moller	Smith
Brill	J. S. Graham	Moody	Speaker
J. S. Brown	Gulick	Moore	Spicer
Bulmer	Hammond	Morey	Stein
E. Case	Hayes	Nachtmann	Stephenson
Childs	Hepburn	Neilson	Stone
Clapp	Herrick	Noyes	Strahan
Clark	Herbst	O'Hare	Tabor
Corsa	Hodges	Orr	Taylor
Coulter	Hogeboom	Peck	Thistlethwaite
Cowdin	Holahan	Piper	Valentine
Crowley	Humphrey	Post	Waddell
Davenport	Husted	Potter	Webb
Dillmeier	King	Rice	Wemple
Ecclesine	Lang	H. H. Rockwell	Wickes

Those who voted in the negative, were

Billings	Fay	Rooney	Welsh
G. M. Case	Gilbert	Ruggles	Winch
Corbett	Maynard	Weiant	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Marvin, offered for the consideration of the House a resolution, in the words following:

*Resolved*, That when this House adjourns to-day at 1 o'clock, it adjourn to meet on Monday evening at 8 o'clock.

Mr. Husted moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Tighe offered for the consideration of the House a resolution, in the words following :

*Resolved*, That after Monday, the 13th inst., an afternoon session of this House be held on Tuesday and Thursday afternoon from 4 to 6 o'clock P. M.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Langbein, and by unanimous consent, the bill entitled "An act relative to summary proceedings to recover the possession of lands for non-payment of rent, and for holding over after expiration of term, in the city of New York," was ordered to a third reading.

On motion of Mr. Post, and by unanimous consent, the Senate bill entitled "An act authorizing the removal of the female convicts confined in the State prison at Sing Sing, and the confinement of females hereafter convicted of felony, in the county penitentiaries of this State," was ordered to a third reading.

Mr. Corbett, from the committee on trade and manufactures, to which was referred the bill introduced by Mr. Noyes, Int. No. 930, entitled "An act to amend chapter 896 of the Laws of 1869, entitled 'An act to incorporate the Crescent Company,' passed March 17, 1869," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waddell, from the committee on civil divisions, to which was referred the bill introduced by Mr. Clapp, Int. No. 807, entitled "An act to establish the boundary line between the towns of Jay and Wilmington, in the county of Essex, and to confirm the past jurisdiction of said towns respectively, in relation to said line," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Clapp, and by unanimous consent, the committee of the whole was discharged from the further consideration of said bill, and the same was ordered to a third reading.

Mr. Webb, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. J. G. Graham, Int. No. 827, entitled "An act to authorize the Fishkill and Newburgh Railroad Company to build a bridge across the Hudson river," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Sanders offered for the consideration of the House a resolution, in the words following :

*Resolved*, That the committee of the whole be discharged from the further consideration of bill No. 434, entitled "An act in relation to the laying out of a public ground in the Fourth ward in the city of Schenectady, and authorizing the common council to borrow money for that purpose," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Hepburn, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Billings, Int. No. 947,

entitled "An act to prohibit the interment of the dead in the burying ground of the First Methodist Episcopal Church, of Carlton, Orleans county, and to authorize the removal of the dead therefrom," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hepburn, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Sliter, Int. No. 887, entitled "An act to authorize the commissioner of highways of East Greenbush, in Rensselaer county, to lay out a public highway through the private burying ground of the Van Rensselaer family," reported adversely thereto, which report was agreed to.

Mr. Hepburn, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Fish, Int. No. 886, entitled "An act to incorporate Patterson Lodge No. 273 Independent Order of Odd Fellows of the State of New York," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Clark, from the committee on petitions of aliens, to which was referred the bill introduced by Mr. Suydam, Int. No. 643, entitled "An act to release to Henry L. Schmeelk the interest of the people of the State of New York in a certain island formed in Jamaica bay," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Clark, from the committee on petitions of aliens, to which was referred the bill introduced by Mr. Niven, Int. No. 796, entitled "An act to release the interest of the people of the State of New York in certain real estate in the town of Fallsburgh, Sullivan county, New York, to Zebulon Hotchkiss, of said county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Clark, from the committee on petitions of aliens, to which was referred the bill introduced by Mr. Smith, Int. No. 817, entitled "An act for the relief of Charles Hoessle and Caroline Hackett, adopted children of Jacob R. Hoessle and Margaret Hoessle, deceased," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Clark, from the committee on petitions of aliens, to which was recommitted the Senate bill entitled "An act to release the interest of the people of the State of New York in certain real estate in the city of Brooklyn, county of Kings, to Ellen Allmon, widow of Otto Allmon," reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Langbein called from the table the report of the sub-committee of the whole in favor of the passage of the bills entitled as follows:

G. O. 304, No. 295, "An act to amend chapter 319 of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies.'" [With an amendment].

G. O. 111, No. 137, "An act to amend chapter 348 of the Laws of 1860, entitled 'An act to secure to creditors a just division of the estates of debtors who convey to assignees, for the benefit of creditors,' and the several acts amendatory thereof." [With amendments.]

G. O. 504, No. 457, "An act to amend section 3 of chapter 564 of the

Laws of 1875, entitled 'An act to amend chapter 122 of the Laws of 1851, entitled An act for the incorporation of building, mutual, loan and accumulation associations,' passed June 9, 1875."

G. O. 106, No. 133, "An act to amend the Revised Statutes in relation to the laying out of public roads and the alteration thereof."

Said report was agreed to, and said bills ordered to a third reading.

Mr. Langbein called from the table the report of the sub-committee of the whole in favor of the passage of the bills entitled as follows:

G. O. 448, No. 420, "An act to amend an act entitled 'An act for the incorporation of societies or clubs for certain lawful purposes,' passed May 12, 1875." [With amendments.]

Senate, G. O. 356, No. 1, "An act to facilitate the removal of clouds and apparent liens upon the title to real estate."

G. O. 219, No. 227, "An act to provide for the collection of the unpaid assessments for the opening, regulating and grading of Franklin avenue in the towns of Flatbush and New Utrecht."

G. O. 383, No. 350, "An act requiring the superintendents of the poor of the county of Genesee to convey to the board of supervisors of said county the lands and appurtenances known as the poor-house farm, situate in the town of Bethany, in said county."

Senate, G. O. 459, No. 128, "An act to amend chapter 497 of the Laws of 1874, entitled 'An act to amend the charter of the city of Poughkeepsie, and to consolidate with it other acts relating to said city.'" [With amendments.]

Senate, G. O. 267, No. 96, "An act to amend chapter 641 of the Laws of 1867, entitled 'An act for the relief of the Co-operative Iron Founders' Association of Troy.'"

G. O. 531, No. 475, "An act to release the interest of the people of the State of New York in certain real estate in the city of Rochester to Thomas Knowles."

G. O. 274, No. 274, "An act to grant to the city of Yonkers certain lands belonging to the people of the State of New York, lying below the original line of high-water mark, in the Nepperhan basin, in the city of Yonkers."

G. O. 175, No. 189, "An act to amend section 4 of chapter 398 of the Laws of 1876, entitled 'An act to provide for the election and compensation of coroners in the county of Rensselaer.'" [Adversely thereto.]

G. O. 307, No. 298, "An act to amend chapter 555 of the Laws of 1869, entitled 'An act to revise and consolidate the general acts relating to public instruction.'" [Adversely thereto.]

G. O. 216, No. 224, "An act for the better protection of human life and limb." [Adversely thereto.]

The question being on agreeing to the report,

Mr. Maynard moved to disagree with the report so far as relates to Senate bill No. 1, entitled "An act to facilitate the removal of clouds and apparent liens upon the title to real estate," and that the same be committed to the committee of the whole.

Mr. Husted moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Maynard, and it was determined in the affirmative.

{ AYES 51 }  
{ NOES 17 }

Those who voted in the affirmative, were

Benedict	Dimond	Maynard	Santee
Bowen	Filkin	McFalls	Shanley
Bradley	Floyd-Jones	Moore	Skinner
Brick	Gallagher	Morey	Sliter
Brill	Galvin	O'Hare	Tabor
Bulmer	Gilbert	Post	Tighe
G. M. Case	Grady	Proper	Valentine
Childs	Hammond	Rice	Webb
Clapp	Herbst	H. H. Rockwell	Welsh
Coulter	Holahan	Rooney	Wemple
Cowdin	Longyear	Ruggles	Wickes
Crowley	Lyon	Sager	Williams
Davenport	Marvin	Sanders	

Those who voted in the negative, were

Baker	J. H. Brown	Husted	Sheldon
S. Baldwin	Cozans	Langbein	Skillman
Barnes	Fish	Nachtmann	Spinola
Billings	Hayes	Potter	Strahan
Billington			

Mr. Speaker then put the question whether the House would agree to the remainder of the report, and it was determined in the affirmative, and said bills ordered to a third reading.

Mr. Burns offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the committee of the whole be discharged from further consideration of Senate bill No. 94, entitled "An act to authorize the city of Troy to refund a portion of its bonded debt, falling due in the fiscal years 1877 and 1878," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Weiant, from the committee on insurance, to which was recommended the bill introduced by Mr. Marvin, Int. No. 79, entitled "An act to amend the charter of the Arctic Fire Insurance Company, of New York, and to extend the powers and privileges thereof," retaining its place on order of third reading of bills, with power to report complete, reported the same complete, with amendments, which report was agreed to.

On motion of Mr. J. G. Graham, and by unanimous consent, the Senate bill entitled "An act to provide for the reduction of the number of directors in fire insurance companies," was ordered to a third reading.

Mr. Gilbert, from the committee on railroads, to which was referred the Senate bill entitled "An act extending the time in which the Canandaigua, Palmyra and Ontario Railway Company shall expend ten per cent of its capital in the construction of its road, and in which to finish the same and put it in operation," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

(Messrs. Gilbert and Moller dissented.)

Mr. Thistlethwaite moved that the committee of the whole be discharged from the further consideration of said bill and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Indefinite leave of absence was granted to Mr. Gere.

On motion of Mr. Maynard, and by unanimous consent, the bill entitled "An act to amend section 1 of chapter 803 of the Laws of 1868, entitled 'An act to amend the acts to provide for the incorporation of religious societies so far as the same relate to churches in connection with the Protestant Episcopal church,'" was referred to the sub-committee of the whole.

On motion of Mr. Maynard, and by unanimous consent, the bill entitled "An act in relation to town accounts," was referred to the sub-committee of the whole.

On motion of Mr. Ecclesine, and by unanimous consent, the bill entitled "An act for the relief of William McDonald, for materials supplied for the repairs of certain roads in the city of New York," was referred to the sub-committee of the whole.

On motion of Mr. J. S. Graham, and by unanimous consent, the Senate bill entitled "An act to authorize the election of women to school offices," was referred to the sub-committee of the whole.

Mr. Weiant offered for the consideration of the House a resolution, in the words following:

*Resolved*, That the select committee of fifteen, to which was referred bill No. 356, entitled "An act to provide for the better protection of policy-holders of life insurance companies," be discharged from the further consideration thereof, and that the same be ordered to a third reading.

Mr. Strahan moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the negative.

Mr. J. S. Graham offered for the consideration of the House a resolution, in the words following:

*Whereas*, Every court-house in the third judicial district has recently introduced improvements in ventilation, which have been unanimously approved by the Judges of the district and all persons having business in said court-room; and,

*Whereas*, The ventilation of the Assembly Chamber is notoriously and shamefully defective, and urgently demands improvement; therefore,

*Resolved*, That the committee on expenditures of the House be requested to inquire, and report to this House at an early day, some plan for improving the ventilation and heating arrangements of the Assembly Chamber, together with the probable cost thereof.

Said resolution giving rise to debate,

*Ordered*, That the same be laid on the table.

Mr. Hayes offered for the consideration of the House a resolution, in the words following:

*Whereas*, The Congress of the United States having failed to make any appropriation for the representation of the industrial interest of America in the International Exposition to be held in Paris in 1878; and,

*Whereas*, It having been fully shown that the interests of the State of New York have been greatly benefited by the recent Centennial exhibition held at Philadelphia, and that the export of her manufactures has been largely increased thereby; and,

*Whereas*, In the natural course of trade and business, it is important to cultivate and continue the advantageous relations there established with foreign countries; it is, therefore,

*Resolved*, That the committee on ways and means be instructed to inquire into and report to this House, by bill or otherwise, as to the expediency of appointing a commission to represent the State of New York at the Paris Exposition of 1878, and what sum of money, if any, may be necessary therefor.

Said resolution giving rise to debate,

*Ordered*, That the same be laid on the table.

Mr. Tighe offered for the consideration of the House a resolution, in the words following:

*Resolved*, That when this House adjourns to-day at 6 P. M. it be until Monday evening next at 8 o'clock and 10 minutes.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Husted offered for the consideration of the House a resolution, in the words following:

*Resolved*, That bill No. 408, entitled "An act to authorize the taxation of stockholders of banks, and the surplus funds of savings banks," be made a special order for Tuesday morning, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Herbst, from the committee on State charitable institutions, to which was referred the bill introduced by Mr. Cowdin, Int. No. 928, entitled "An act to enlarge the power of the State Board of Charities," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. H. H. Rookwell offered for the consideration of the House a resolution, in the words following:

*Resolved*, That Senate bill No. 97, entitled "An act for the government of the State Reformatory," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The bill entitled "An act in relation to the government of the city of Brooklyn," being announced for a third reading,

Mr. Fish moved to lay said bill on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate bill entitled "An act for the more efficient protection of judgment creditors," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.



} AYES 44 }  
 } NOES 32 }

Those who voted in the affirmative, were

Baker	Clark	Hepburn	Sanders
Barnes	Corsa	Herrick	Shannon
Benedict	Coulter	Humphrey	Skinner
Bowen	Cozans	Husted	Spinola
Bradley	Dillmeier	Langbein	Suydam
Braman	Dimond	Lyon	Tighe
Brill	Fay	Maynard	Waddell
J. H. Brown	Floyd-Jones	McGroarty	Weiant
Bulmer	Galvin	Noyes	Welsh
G. M. Case	Gulick	O'Hare	Wemple
Childs	Hayes	Post	Wickes

Those who voted in the negative, were

Billings	Grady	McFalls	Piper
Bissell	J. G. Graham	McGraw	H. H. Rockwell
E. Case	Hamilton	McKee	Ruggles
Clapp	Hammond	Mitchell	Sager
Cowdin	Herbst	Moody	Shanley
Fish	Hogeboom	Moore	Stephenson
Flecke	Lang	Nachtmann	Strahan
Gilbert	Maher	Neilson	Webb

Mr. Langbein moved to reconsider the vote by which said bill was lost and that that motion lay on the table.

Mr. Speaker put the question whether the House would agree to said motion to lay on the table, and it was determined in the affirmative.

The bill entitled "An act to authorize the board of education of the city of Brooklyn to establish a home or school of reform for truant children, and to transfer the truant home of the city of Brooklyn to the care and custody of the said board of education," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 72 }  
 } NOES 11 }

Those who voted in the affirmative, were

Baker	Dimond	Lang	Ruggles
Barnes	Fay	Langbein	Sager
Benedict	Filkin	Longyear	Sanders
Berrigan	Fish	Maher	Shannon
Billings	Floyd-Jones	Maynard	Skinner
Bissell	Gilbert	McFalls	Speaker
Bowen	J. G. Graham	McGraw	Stein
Braman	Gulick	McKee	Stephenson
Brill	Hamilton	Mitchell	Strahan
Bulmer	Hammond	Moody	Suydam
E. Case	Healy	Moore	Valentine
G. M. Case	Hepburn	Neilson	Waddell
Clapp	Herbst	Noyes	Webb

Clark	Hogeboom	O'Hare	Weiant
Corsa	Holahan	Piper	Wemple
Coulter	Humphrey	Post	Wickes
Cowdin	Husted	Potter	Williams
Crowley	Keator	H. H. Rockwell	Winch

Those who voted in the negative, were

Bradley	Galvin	Nachtmann	Spinola
Childs	Grady	Rooney	Tighe
Flecke	McGroarty	Shanley	

*Ordered*, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Strahan moved to take from the table the motion to reconsider the vote by which the bill entitled "An act for the more efficient protection of judgment creditors," was lost.

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Debate was had thereon, when

Mr. Strahan moved to lay the motion to reconsider the vote by which said bill was lost on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker presented a message from his Excellency the Governor in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }  
ALBANY, *March 11, 1877.*

*To the Assembly:*

In accordance with a joint resolution of the Senate and Assembly, I return herewith, for amendment, bill No. 46, entitled "An act making appropriations for the payment of the principal and interest of the canal debt for the fiscal year commencing on the 1st day of October, 1877, and to provide means to pay the interest on the debt created under section 3 of article 7 of the Constitution for the fiscal years commencing on the 1st day of October, 1876, and ending on the 30th day of September, 1878."

L. ROBINSON.

Mr. Baker moved that the vote by which said bill was passed be reconsidered.

Mr. Speaker put the question whether the House would agree to said motion to reconsider, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }  
{ NOES 00 }

Those who voted in the affirmative, were

Baker	Filkin	McGraw	Shanley
S. Baldwin	Fish	McGroarty	Shannon
Barnes	Flecke	McKee	Skillman
Berrigan	Floyd-Jones	Mitchell	Skinner
Billings	Galvin	Moller	Smith
Bissell	Gilbert	Moody	Speaker
Bowen	J. G. Graham	Moore	Stephenson
Bradley	Gulick	Morey	Suydam

Braman	Hamilton	Nachtmann	Tabor
Brill	Hammond	Noyes	Taylor
J. S. Brown	Herrick	O'Hare	Thistlethwaite
E. Case	Hogeboom	Piper	Valentine
G. M. Case	Humphrey	Post	Waddell
Childs	Lang	Potter	Webb
Clapp	Langbein	H. H. Rockwell	Weiant
Corsa	Lyon	Ruggles	Welsh
Cowdin	Maher	Sager	Wemple
Cozans	Marvin	Sanders	Wickes
Crowley	Maynard	Santee	Winch
Fay	McFalls		

Mr. Baker moved to recommit said bill to the committee on canals for amendment, with power to report at any time.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Welsh, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to provide for perfecting and perpetuating the right and title of the city of New York to property, water, water-rights and privileges heretofore taken or used, or which may be hereafter taken or used by said city to increase the supply of pure and wholesome water for the use of said city, and to provide for the payment and extinguishment of all claims or damages growing out of such taking or using."

"An act to amend chapter 237 of the Laws of 1869, entitled 'An act to amend an act entitled An act to authorize the formation of railroad corporations and to regulate the same, passed April 2, 1850,' passed April 17, 1869."

"An act relating to the operations of the United States coast survey in the State of New York."

"An act to confer certain powers and privileges upon the New York Academy of Medicine."

"An act to amend an act entitled 'An act to facilitate the construction of railroads and tram roads within the counties of Essex and Clinton, and to authorize the formation of companies therefor, passed April 14, 1865,' and to extend the same to all counties of this State except New York and Kings."

"An act to incorporate Crystal Hose Company No. 1 of the city of Binghamton, New York."

"An act to prevent the making and publication of false or deceptive statements in relation to the business of fire insurance."

"An act to enable the presidents, directors and companies of the Catskill Mountain and Susquehanna turnpike roads to abandon parts of their roads."

"An act to authorize the trustees of the Baptist Church and Society of Hoosick, New York, to remove the dead from their burying ground to the cemetery, and to authorize them to sell their burying ground."

"An act to amend chapter 617 of the Laws of 1873, entitled 'An act regulating the deposit of securities by plate-glass insurance companies.'"

"An act to amend chapter 436 of the Laws of 1874, entitled 'An act to regulate the practice of medicine and surgery in the State of New York.'"

"An act authorizing the inhabitants of school district No. 8 in the town of Pike, county of Wyoming, to sell a portion of their school-house site."

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## ERRATA.

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- Page 460, line 9, from bottom, for "Greene," read "Genesee."  
Page 469, line 12, from bottom, for "Brooklyn," read "Buffalo."  
Page 536, line 20, from top, for "out," read "but."  
Page 550, line 11, from top, for "fomented," read "fermented."  
Page 668, line 20, from bottom, for "W. L. Baldwin," read "M. L. Baldwin."  
Page 668, line 13, from bottom, for "Chemung," read "Chenango."  
Page 757, line 6, from bottom, for "No. 435 was substituted for said bill," read "said bill was substituted for Assembly bill No. 435."  
Page 795, line 12, from top, the bill for which Senate bill 235, to amend chapter 90, Laws of 1865, entitled "An act to amend and consolidate the several acts relating to the village of Ilion," was substituted, was Assembly bill 484. The bill named in the motion of Mr. McKee on page 795 is erroneous.  
Page 826, line 18, from top, for "No. 824," read "324."  
Page 931, line 3, from bottom, for "Howard," read "Harvard."  
Page 978, line 9, from bottom, for "Buffalo," read "Rochester."  
Page 1035, lines 21 and 22, from top, for "Haward," read "Harvard."  
Page 1184, line 9, from top, for "Walsh," read "Wales."  
Page 1296, line 16, from bottom, for "non-concurrence," read "concurrence."  
Page 1481, line 6, from top, for "Mr. J. Brown," read "Mr. J. S. Brown."
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NOTE.—January 25, Mr. Ecclesine introduced a bill for the relief of William McDonald. See page 478.

